The BAR ASSOCIATION BULLETIN

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The BAR ASSOCIATION BULLETIN

Vol 2.

MARCH 3, 1927

No. 13

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CHAS. L. NICHOLS, EDITOR R. H. PURDUE, ASSOCIATE EDITOR

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(City and County-Organized 1888)

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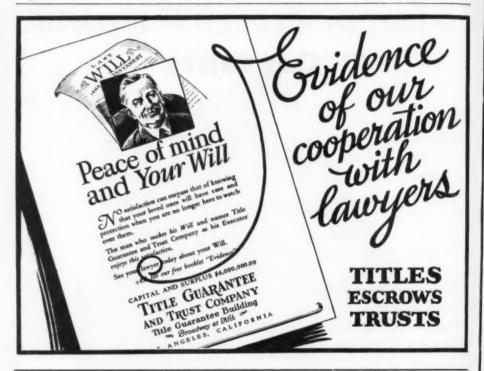
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Foreword

Section VIII, sub-section 14, of the By-Laws of our Association imposes upon the Committee on Publicity the duty "to prepare and publish a Year Book of the Association containing a list of names and addresses of members, the Constitution and By-Laws, annual reports of Committees, and such other information as may be directed by the President or Board of Trustees." This section further provides that such a Year Book must be published at least every third year.

The Board of Trustees, by appropriate resolution, has authorized the issuance of a Special Annual Edition of the BULLETIN to serve as such a Year Book for the current year.

THE BAR ASSOCIATION BULLETIN made its initial appearance in September, 1925, a four-page issue, published monthly. Five numbers were issued on this basis.

Just a year ago, the publication was enlarged and broadened to meet more effectively its full opportunity. This new BULLETIN was designed to serve as an interesting legal periodical and, at the same time, an invaluable advertising medium for all who desired to reach the legal profession. On this plan, the BULLETIN contained sixteen pages and was published semi-monthly; also, by reason of the revenue from the advertisements appearing in it, the BULLETIN became self-supporting. In October, 1926, the BULLETIN was again enlarged, this time to thirty-two pages, in order to permit more comprehensive treatment of legal discussions.

At the close of our first year of publication upon a commercial basis, we feel considerable pride in the progress which has been achieved. We take the opportunity to thank everyone who has helped to make this achievement possible. We particularly desire to express our appreciation for the painstaking co-operation accorded us by our printers, PARKER, STONE AND BAIRD. Their continued assistance has been an excellent service to the Association.

THE EDITORS.

A Record to be Proud of

Publishing Law Books for ONE HUNDRED AND SIX YEARS and still going strong is worth while talking about. We spare no expense in keeping our publications accurate, and lawyers know why they examine their books for the imprint of

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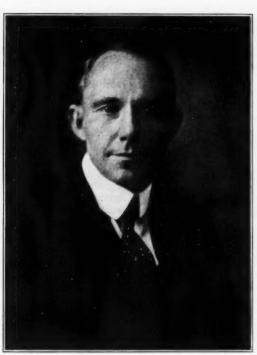
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EUGENE OVERTON
President Los Angeles Bar Association 1926-27

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Annual Report of the President for 1926-27

(Filed February 17, 1927)

(Read before the meeting of the Los Angeles Bar Association, February 17, 1927)

To the Los Angeles Bar Association:

As this is the last meeting of the Association for the current year, and the last meeting at which I shall be privileged to preside as your president, it is my desire and intention to make a brief annual report. I believe a precedent should be established for an Annual Report by the Retiring President, supplementing the Secretary's Report with a general statement of the progress of the Association during the closing year. I am sure that such a discussion by the President can and will become a useful custom.

At the outset, let me urge each and every member of the Association to study the reports of the various standing committees, in order that we all may become better informed of the affairs and activities of the Association. These reports contain interesting comments and constructive recommendations of permanent value. Arrangements have been made to collect these reports for publication in our *Bulletin*. It is our hope that, in thus having them in permanent form, we can all study them at our leisure and make constructive criticism and suggestion from time to time concerning the work of the Association.

According to our Constitution, this Association "is established to maintain the honor and dignity of the profession of the law" and "to increase its usefulness in promoting the due administration of justice." It is believed that, as we gradually achieve these aims, the Bar will be more firmly entrenched in public favor and confidence. To this end, the work of the Association is two-fold: first, the disciplinary teature; and secondly, the creative or constructive feature.

DISCIPLINARY FEATURE

Our Association performs the disciplinary feature of its work in a most creditable manner. Many practical obstacles always conspire to impede the efforts of the Association to discipline the members

of the legal profession. It requires an amazing amount of time, patience, energy and money to investigate the conduct of attorneys, to hold hearings, and to prosecute the cases to judgment. Yet, despite these odds, the Bar Association has scored real success in its endeavor to remove the unfit and to curb carelessness in professional deportment.

You will hear the Secretary's report, which will cover this phase of our work. It will not be necessary for me to repeat the details. But, in passing, I do want to pause long enough to express on behalf of the Board of Trustees and the Association at large our genuine appreciation for the splendid work of those who have charge of these duties. Credit for success along these lines is due in large measure to the painstaking efforts of our Secretary, Mr. Variel, and the members of the Grievance Committee who, in addition to their crowded private practices and at real personal sacrifice, have worked tirelessly to the same end. The Board of Trustees and the Special Prosecutor and Assistant Secretary, Mr. Nichols, have likewise devoted a great amount of time and energy to the work of the Association. Our present system is wholly inadequate and is an unjust burden upon those who have consented, from a sense of professional and public duty, to perform as best they can the function of administering or recommending discipline in cases of professional dereliction on the part of members of the legal profession. We hope for great improvement in this respect from the passage and enactment of the Bar Incorporation Bill, to which I shall revert later.

So, this is one way in which the Los Angeles Bar Association has sought to maintain the honor and dignity of the legal profession—to ferret out the crooks and shysters.

THE CREATIVE OR CONSTRUCTIVE FEATURE

On the other hand, there is the creative or constructive feature of our work. The

legal profession must bring the law abreast of the needs of the day. As long as jurisprudence trails behind the other social sciences, the profession which administers it will command little respect. Bar Associations must work alongside of law schools and legislatures in order to achieve the desired results. To this end, the Los Angeles Bar Association is presenting a definite constructive course of action; it is trying, in every wise possible, "to increase the usefulness of the legal profession in the due administration of justice." I shall undertake briefly to epitomize and summarize our work along this line.

SELF-GOVERNING BAR

It will be recalled that the Self-Governing Bar Bill (Assembly Bill No. 5) introduced in the Legislature of 1925, failed to receive executive approval, although it was passed with an overwhelming majority by the assembly and unanimously by the Senate. It is conceded by all that this bill was one of the most constructive measures ever advocated by the Association. incorporation of the State Bar will relieve local associations of the onerous duties of disciplining members of the legal profession; and at the same time, it will effectuate a closer unity of relation and a greater unity of purpose among the Bar generally. Every member of the Bar of California will become a member of this legally recognized, official organization; it will enable the Bar as a whole to declare itself. Let us pledge our whole-hearted co-operation and support to this salutary reform; let us prepare now to insure final and complete victory for the Self-Governing Bar Bill this year.

STANDING COMMITTEES

There are 14 Standing Committees of the Los Angeles Bar Association, each endeavoring in its particular sphere of work "to increase the usefulness of the legal profession in the due administration of justice"—to bring the law abreast of the needs of the day. It is not the province of this report to give you in detail the problems which have been studied, and quite often solved, by these committees; reference must be made to the annual reports for such detailed information. I shall, however, touch upon some of the

problems of outstanding importance which have been duly considered.

Digressing for a moment, I desire again to felicitate the members of the Association by and large for their splendid attitude of co-operation and service. You will recall that, at the beginning of the current year, I dispatched a post card to every member of the Association requesting an expression of willingness to serve on committees and any preference for I was indeed very particular service. gratified to receive more than 700 cards in return, bespeaking an eagerness to serve wherever needed. I deem that fact a most excellent commentary on the attitude of our members at large.

COURTS OF INFERIOR JURISDICTION

Every one here knows of the noteworthy service rendered by our Association in securing the passage of the Municipal Court Act, and the subsequent establishment of the Municipal Court in Los Angeles. Great credit is due in this connection to the untiring efforts of our devoted member, Judge John Perry Wood, the present chairman of our Committee on Courts of Inferior Jurisdiction. During the current year that committee, under his guidance, has caused to be introduced in the Legislature, Senate Bill No. 776, being "An Act to regulate the method of voting for and electing candidates for judicial offices at primary and general elections by giving each office a designating number for the purpose of elections where two or more judges or justices of any court of record are to be elected for the same term at the same election." This bill would provide for all courts of record the plan now followed in the Municipal Court. This committee has also prepared a proposed bill providing that the presiding judge of the Municipal Court shall serve as such for his full term of office as judge of the court, and shall be removed only by twothirds vote of all of the judges of the court, in lieu of the present plan of annual election and removal by bare majority.

SUBSTANTIVE LAW

Our Committee on Substantive Law, after painstaking study, and acting in conjunction with the City Attorney's office, has recommended, among other matters, a

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Du achievaid e candid worki diciar leader two v revision of the existing laws pertaining to the collection of delinquent assessments for public improvements. There is urgent need for corrective legislation in this field of law.

UNLAWFUL PRACTICE OF THE LAW

The Committee on the Unlawful Practice of the Law has considered, during this year a number of problems with reference to the practice of the law, such as, the use of forms simulating legal or judicial process, preparation of legal papers by realtors, preparation of wills by banks, and the like. The chairman, former Judge Benjamin F. Bledsoe, reports that through the work of his committee practically all of these practices have been curtailed, the parties concerned showing a readiness to co-operate wherever possible.

CRIMINAL LAW AND PROCEDURE

The Committee on Criminal Law and Procedure, Percy V. Hammon, chairman, reports certain proposed modifications of the Penal Code, and urges the creation of a commission for a scientific investigation of the causes of crime and appropriate remedies.

MEETINGS

I desire to commend most heartily the chairman, Leo M. Rosecrans, and the members of our Committee on Meetings for the very excellent work accomplished by them during the year. I hear it said on all sides that we have had the most consistently interesting and instructive meetings this year that the Association has ever known. Practical papers on work-a-day legal subjects, by skilled practitioners have proved most helpful, as well as entertaining. Our members have demonstrated their appreciation by full attendance at all meetings.

JUDICIAL SELECTION

During the year, the Association has achieved marked progress in its efforts to aid efficiently in the selection of judicial candidates. Our Judiciary Committee, working in conjunction with a Special Judiciary Campaign Committee under the able leadership of Kemper Campbell, conducted two very important plebiscites; the first, to determine endorsements of the incum-

bent judges of the Superior Court who were candidates for re-election, and the second to determine endorsements of candidates for the four remaining vacancies on the bench of that court. The results were thoroughly gratifying, only two candidates endorsed by the Association failing of election. Similar plebiscites are now contemplated in endorsing candidates for the Municipal Court judgeships for the May election.

The modus operandi of taking these plebiscites was greatly facilitated and improved by the amendment to our by-laws, formulated by Thomas C. Ridgeway.

SPECIAL COMMITTEES

In addition to the regular standing committees, several special committees have performed services of note during the year.

- 1. A Special Committee of Trustees, composed of Hubert T. Morrow, Guy R. Crump and Kemper Campbell, acting as a sort of laiason committee in conjunction with a special committee of judges of the Superior Court. This committee has done valuable work in the promulgation of new rules of practice before the Superior Court, designed to relieve congestion and to avoid delays.
- . 2. Another, a Special Committee of Trustees, composed of Leonard Slosson, Hubert T. Morrow and Kemper Campbell, which drafted and submitted to the Supreme Court a proposed rule of court to govern applications by disbarred attorneys for restoration to practice. This proposed rule will be found set out at length in the issue of the *Bulletin* for May 6, 1926.
- 3. A Special Committee on Lawyers' Building, composed of your president, as chairman, Kemper Campbell and Hubert T. Morrow, has made a very thorough investigation into the advisability of providing permanent quarters for the Association. This committee was enlarged to include some 30 members of the Association, all of whom have devoted conscientious work along this line and the matter is still pending.
- 4. Finally, a Special Membership Committee, of which Judge Edward T. Bishop is chairman, has accomplished some noteworthy results. Due largely to the work of this committee, 193 new members were

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in cons office, atters, a received into the Association during the year. And in this connection, I desire also to commend the members of the regular standing membership committees for their diligent efforts in passing upon these applications for membership.

BOARD OF TRUSTEES

As your president, I have had the privilege of presiding over the regular weekly meetings of your Board of Trustees. These meetings have been well attended throughout the year, and matters coming before the board have at all times received painstaking and thorough consideration.

THE BAR ASSOCIATION BULLETIN

My report would, indeed, be incomplete if I did not call your attention to the rapid rise and development of our Bar Association Bulletin. A little over a year ago, the Bulletin was conceived by the editor, Chas. L. Nichols, to meet the need of an official publication for the Association. At first, it was a modest four-page issue published monthly through the courtesy of the Daily Journal Company. The scope of its useful-

ness was narrowly restricted by a lack of necessary revenue. At the beginning of this year, the Bulletin, through the cooperation of its printers, Parker, Stone & Baird Company, was placed upon a commercial and self-sustaining basis. In the brief space of one year, the Bulletin has matured into a substantial, legal periodical—a journal of interesting articles, casenotes, book-reviews, and the doings of the Association. The next issue will be a special annual edition which, we believe, will be a pleasurable surprise for all of our members.

Conclusion

In conclusion, permit me, please, to express the deep appreciation I entertain for the fine co-operation shown me by your officers, trustees and committees. It is an inspiration to observe such an unselfish spirit of devotion and service. I assure you all I deem it the most cherished honor I have ever had to have been the president of this excellent Association.

EUGENE OVERTON,
President.

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Annual Report of the Secretary for 1926-27

(Filed February 18, 1927)

(Read before the meeting of the Los Angeles Bar Association, February 17, 1927)

To the Board of Trustees of the Los Angeles Bar Association:

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The secretary presents herewith his annual report for the year 1926-1927, both as secretary of the Association and as secretary of the Grievance Committee.

The Association has at the present time 1834 active and honorary members, 145 having been suspended for non-payment of 1926 dues, 11 members having resigned, 17 members having died, there being 12 reinstatements, and 187 new members having joined during the past year. As against the year 1925-26, the above figures represent a gain in membership of 26. During the past year 2 membership applications were rejected, and there are 16 applications pending.

The roll of members who died during the past year is as follows:

Benj. E. Page Walter F. McEntire Walter Bordwell Sturges Q. Adams Altes H. Campbell J. A. Kennicott Emest E. Nichols Wm. P. Freeman Wm. P. Lawlor Earle H. Smith

Thos. J. Lennon Chas. H. Maxwell Ernest Harper Daniels Will H. Marshall Wm. H. Plummer Lucien Earle Max Loewenthal

During the course of the year your Board of Trustees held 49 meetings, the general Association 10 monthly meetings, and, as your president has already advised you, the various standing and special committees have been unusually active.

It will be of interest to the members to note that at the present time there are 47 members of the bar whose names appear on the public defender's civil list. During the period from January 1st, 1926, to January 1st, 1927, 1899 matters were referred by the public defender to the attorneys on the civil list, and during the period from August 1st, 1914, when the public defender's civil list was instituted, to January 1st, 1927, 17,933 matters were referred to the various attorneys who, from time to time have assisted in this splendid work, a very large portion of which is of a charitable nature.

It will also be of interest to note that, during the past year, members of the Association have rendered service to ex-service men and women in guardianship cases in 98 different matters. This assistance has been furnished the American Legion through its Veteran's Bureau Committee.

On behalf of the Grievance Committee, the following statistics are given, covering the high points of the committee's activities for the year:

Unfinished matters received from retiring committee of 1925-26 27 New complaints received139 Total complaints received166 Complaints dismissed after action by the committee 51 Complaints on which the committee took some affirmative action 15 Pending matters100 (Of this number 75 or more mat-

ters will be disposed of by the committee at its final meeting on Feb. 23rd.)

Hearing by departments of the committee110 Actual nights attendance by committee

Meetings of the General Committee..... 10

Total meetings 42 Various matters referred for prosecu-

tion by trustees on rec. of committee 12 Proceedings filed in court by the Asso-

ciation 7 (Isaac Barth

Chas. A. Barnhart

W. S. Furman

M. M. Gordon

O. V. Willson

H. Clyde Harms Llewellyn F. Marsh)

Attorneys suspended after accusation filed	1 2 7 4 5	attorneys (W. J. Hittson—In this matter the State Board of Bar Examiners has found the applicant wanting in both moral and mental qualifications.) Applications for reinstatement pending before District Court of Appeal, awaiting investigation by Grievance Committee Complaints preliminarily investigated by secretary Respectfully submitted, R. H. F. VARIEL, JR., Secretary. Dated: February 17, 1927.

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ANNUAL REPORT OF THE TREASURER FOR 1926

(Filed February 17, 1927)

To the	Officers	and	Members	of the	Los	Angeles	Bar	Association:
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Your Treasurer reports for the years beginning January 1, 1926, and ending December 31, 1926, as follows:

Balance report in Bar Association Treasury, January 1, 1926 \$ 1,445.84

RECEIPTS DUES

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Dues collected for year 1925 from 30 members, as per receipts issued bearing numbers 1119 to 1148 inclusive, at \$10.00 each, \$ 300.00 and No. 1149 @ \$5.00 5.00

Dues collected for year 1926 from 1349 members, as per 1926 receipts issued bearing numbers 1 to 1349 inclusive at \$10.00

1926—Special A-1 to A1116 @ \$5.00 each 580.00

NEW MEMBERS \$14,375.00

Received from 92 new members as per list attached, application fees at \$10.00 each

Received from 72 new members as per list attached, application

fees at \$5.00 each Received from 26 new members as per list attached, application

fees at \$2.50 each 65.00

MISCELLANEOUS 4/27/26 Received from Los Angeles Bulletin

1.345.00 \$143.00

46 46 46 46 46 46 46 46 46 46 332.50 6/26/26 6/23/26 10/7/26 12/2/26 566.00 729.00 362.50 12/28/26 452.25

> \$2.585.25 2.585.25

920.00

360.00

Interest received from Bank of Italy on money on Special Savings

Deposit-

Apr. 27/26—\$12.58, May 28—\$11.44, June 27—\$9.02 July 27-\$7.69, Aug. 27-\$4.78, Sept. 27-\$3.17

TOTAL RECEIPTS during year 1926, including balance of

January 1st, 1926 \$19,799.77

DISBURSEMENTS

Paid out by checks Nos. 780 to 985 inclusive, upon warrants issued and signed by the President and Secretary as per list attached, and for which vouchers Nos. 780 to 985 are herewith returned herewith amounting to

18,365.17

Leaving a balance in the Treasury January 1, 1927, of 1,434.60

In addition to the above balance of \$1,434.60, there is deposited in a Special Fund in the Bank of Italy, a sum of \$1,546.94, which is in a Special Savings Account in the name of "LOS ANGELES BAR ASSOCIATION", bearing interest at 3%. This Special Account was deposited December 29, 1926, being money received by contribution, and by order of the Trustees, held as a Special Account to be used for special purposes of the Association.

Respectfully submitted,

T. W. ROBINSON, Treasurer.

Annual Report of the Committee on Membership for 1926-27

(Filed February 16, 1927)

To the Los Angeles Bar Association:

During the past year the Membership Committee of the Los Angeles Bar Association, appointed by President Overton, consisting of Charles L. Bogue, Ivan Kelso, Mark H. Slosson, Glen E. Whitney, and the undersigned as chairman thereof, has functioned regularly since its appointment in March, 1926, holding monthly meetings for the purpose of meeting, interviewing and passing upon applicants for membership in this Association. The committee has uniformly followed the practice of requesting, in writing, the applicant to appear in person before it prior to acting and passing upon his or her application. At these meetings the applicant is asked to inform the committee of his or her qualifications from an educational standpoint, pre-legal and legal, principally legal, and the place where and when first admitted to practice of the law, and if admitted elsewhere than in California, the data pertaining to the same, the duration of his practice and when he was admitted in California. Of course, all this information is obtainable from the records on file with the State Board of Bar Examiners, but your committee has felt that a personal interview along the above lines with the applicant leaves a better impression upon him or her, rather than their perfunctory admission to the Association by a mere examination of their records and approval or disapproval of their applications. Furthermore, it affords the applicant a chance to meet and become somewhat acquainted with the personnnel of the membership committee, and the committee endeavors to impress upon each successful applicant the importance of taking an active interest in the affairs of the Association and in attending its meetings. In this way an average of eight to ten applications can be considered and acted upon every thirty minutes. It is often found that certain of the applicants are unable to attend, and their applications automatically go over until the following month's meeting, of which they are duly notified.

During the month of December the committee deemed it necessary to hold two

meetings. At the first meeting thirty applicants were invited to appear before the membership committee, of which twenty-one were able to appear, who were interviewed and their applications favorably acted upon. The remaining nine went over until the second meeting, there being up for consideration at said latter meeting sixty-one applications, of which number forty-four appeared and were acted upon, seventeen going over until the January meeting, at which there were thirty-one applications up for consideration, twentyfive of the applicants being able to put in an appearance, leaving but six applications remaining with no action taken thereon. These latter, together with the applications submitted to the committee since said January meeting, and during the month of February, will be passed over for action thereon by the incoming committee.

The committee has been pleased to note that the applicants have entered into the spirit of the occasion and have been commendatory as to the method of procedure in handling their respective applications. Number of applications received and submitted to the membership com-

Respectfully submitted,
BRADNER W. LEE, JR.,
Chairman.

Dated: February 15, 1927.

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Annual Report of the Committee on Grievances for 1926-27

(Filed February 25, 1927)

To the Los Angeles Bar Association:

The statistical features of the work of the Committee on Grievances are covered by the report of the secretary. Such statistics, however, may be more comprehensible when coupled with a brief exposition of the general methods pursued and work performed by the committee.

Complaints before the committee are filed with the secretary of the Association who keeps a docket or register of the same. Persons with real or fancied grievances call upon him and are advised as to how to prepare their complaints or are referred to some member of the Grievance Auxiliary Committee for assistance in the preparation of the same. During the past year approximately three hundred of such matters were presented to the secretary.

After the complaint is filed and entered it is sent to the chairman who reads it and makes a written recommendation either requiring an answer from the respondent or, in cases where the complaint on its face does not state facts sufficient to constitute any offense within the province of the committee, suggesting its dismissal. Such recommendation is then presented to the full committee which takes such action as it deems proper. complaints of this nature have been so disposed of and the attorneys involved do not know to this day that a complaint against them was ever filed. However, if the facts alleged are such as would raise a material issue a copy of the complaint is sent to the attorney and he is requested to answer the same. Upon the coming in of the answer, it and the com-(or the complaint alone if no answer is filed within the time limit) are sent to a member of the committee (serving in rotation) and he makes an investigation and a written report to the full committee. If the answer clearly explains away the charges and negatives any wrong doing so conclusively as to make it obvious that the taking of evidence would serve no useful purpose it is dismissed. If there is any doubt or a material issue raised by the complaint or answer which is not so disposed of a hearing is set and parties and witnesses notified.

For the purpose of conducting hearings the committee is divided into three departments of three members each with two constituting a quorum. At the hearings both sides may appear in person or by counsel. The procedure follows in general our standard trial procedure but in the interest of a thorough investigation the rules of evidence are often relaxed, hearsay evidence sometimes being heard, not for its value as proof but for purposes of ascertaining whether or not direct evidence is available. A stenographic record of each hearing is taken. Thereafter the department makes a report and recommendation to the full committee which reviews the entire case and either adopts or modifies the report of the department. The entire file is then sent to the Board of Trustees which again reviews the case and either approves or modifies the committee's action or sends the matter back for further proceedings.

The committee has given to every case coming before it full, impartial and thorough consideration; its members have worked conscientiously and have given most generously of their time and energy to uphold the higher standards of our profession, to protect the public at large, to safeguard the reputable lawyers equally from the ravages of the shyster and from the false charges of the mistaken or maliciously inclined persons who, disgruntled perhaps by reason of the very integrity of their counsel, sometimes villify them for some personal advantage.

I pay personal tribute to the secretary and to each member of this committee for his faithful, patient and able work and with them join in expressing to President Eugene Overton and to the

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Board of Trustees our appreciation of the cooperation and courtesies which have been extended us.

We also thank the members of the Grievance Auxiliary Committee whose assistance to complainants in the preparation of complaints has saved some time for the members of the committee which otherwise would have been expended in deciphering illiterate and well-nigh unintelligible complaints.

Respectfully submitted,
B. REY SCHAUER,
Chairman.

Members of the Committee:
Raymond S. Taylor Charles E. McDowell
Earle M. Daniels Walter E. Burke
Clement L. Shinn Gabriel C. Duque
Lawrence L. Larrabee Chandler P. Ward
Dated: February 17, 1927.

Annual Report of the Special Prosecutor for 1926-27

(Filed February 17, 1927)

To the Los Angeles Bar Association:

Accusations Filed: 6.

Barnhart: Suspended from Feb. 4th to Jan. 1st, 1928.

Marsh: Dismissed, with censure by court.

Rubin: Dismissed. Gordon: Pending. Willson: Pending. Harms: Pending.

Accusation to be Filed: 3.

Fletcher: Barnhart: Brunk:

Citations Re. Contempt Filed: 1.

Furman: Pending

Citations Re. Contempt to be Filed: 1.
Small Claims Court Co.

Motions to tSrike Name of Attorney From Roll in U. S. Courts: 1.

Barth: Name stricken.

Opposition to Application for Reinstatement District Court of Appeal: 1.

Hittson: State Board of Bar Examiners found applicant lacking in moral and mental qualifications.

Application for Reinstatement, District
Court of Appeal Under Investigation
by Grievance Committee: 1.
Rheinschild: Pending.

Respectfully submitted,

CHAS. L. NICHOLS,

Special Prosecutor.

Dated: February 17, 1927.

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Annual Report of the Committee on Legal Ethics for 1926-27

(Filed March 1, 1927)

To the Los Angeles Bar Association:

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The Legal Ethics Committee desires to submit herewith its report covering such matters as have come before it and to which it has been able to give consideration.

At the time of the selection of the various standing committees, President Overton appointed Mr. William Hazlett chairman of the Legal Ethics Committee, but on the appointment of Judge Hazlett to the Superior bench, he tendered his resignation as chairman of the committee. Shortly after the appointment of your present chairman he was, for several months incapacitated by reason of illness from engaging in any kind of legal work or discharging any of the duties assigned to this committee. Subsequent to that time, owing to the almost continuous absence of some of the members of the committee from the city, it has been difficult to get the committee together for consideration of anything but the most pressing matters; and there are now awaiting the consideration of this committee numerous questions on which the committee will make its report from time to time as soon as that can be done. the meantime, some of the members of the committee have conferred informally upon certain urgent cases.

The most frequent requests for advice and reports from this committee arise out of the institution of actions to foreclose street liens in which only constructive notices were given property owners of street liens before suits to foreclose the same were filed. This situation is doubtless working many hardships on owners of property and the question as to whether an attorney is ethically bound to do more than give the formal notice before filing suit is one that is now being given the careful consideration of the committee, but upon which it is not as yet prepared to act. It is thought, however, that legislation now pending before the present

legislature at Sacramento may clarify the situation somewhat and afford a protection to property owners that at present does not exist.

Another class of questions most frequently submitted to the committee involve the consideration due from one attorney to another before taking legal action such as defaults, etc., but as they are matters addressed rather to the conscience and courtesy of the individual attorney than to the canons of ethics, this committee is unable to be of any material assistance.

Another class of problems for the lawyers arises out of the fact that what was originally a community of interests develops into a conflict of interests and it then becomes difficult for the individual lawyer to determine just where his path of duty lies. This is perhaps the most difficult class of questions that this committee has to consider and they are the cases to which the committee feels bound to give and does give its first attention. It is hoped that within the next few weeks this committee will be able to pass upon all questions heretofore submitted to it and to quickly dispose of them hereafter as they arise.

In general it may be said that the members of the bar of this county are guided by a sense of fairness and honor in the discharge of their legal obligations and there appears to exist a desire to extend courtesies among its members rather than to take advantage of any oversight or neglect on the part of adversaries.

Respectfully submitted,

G. C. DEGARMO, Chairman.

Members of the Committee:

Paul Nourse Gurney E. Newlin Ovila N. Normandin Joseph P. Loeb

Dated: March 1, 1927.

Annual Report of the Committee on the Judiciary for 1926-27

(Filed February 17, 1927)

To the Los Angeles Bar Association:

The chief activities of the Judiciary Committee during the past year have been in managing the various campaigns for better judges. This has consisted in conducting plebiscites of the members of the Association to determine the judicial candidates who would be endorsed for election, and after their endorsement of putting on campaigns for their election. In addition to the above, the committee has from time to time given such information as it could to the Governor of the State of California in regard to the qualifications of the candidates to appointments of The committee feels judicial positions. that a distinct advance has been made, and that with the continued co-operation of the members of the bar, the results of our efforts will be not only a more able and efficient judiciary but a higher standard of ethics among the members of the profession in the administration of justice.

Under the by-laws, it is the duty of the Board of Trustees to supervise the plebiscites and campaigns for candidates endorsed by the Association, and the two campaigns of 1926 (the primary and general elections) were conducted jointly by the judiciary committee and the board of trustees.

The members of the bar responded most satisfactorily to the appeal of the com-Very liberal contributions were made to the campaign fund, and the campaigns were carried through successfully, leaving a balance in the treasury for the next campaign of \$1,536.94. A detailed statement of the receipts and disbursements is on file with the secretary.

During the final campaign, one hundred forty-two appearances were made before clubs and organizations by forty-four attorneys appearing in behalf of the Bar Association Committee. There were sent out approximately thirty thousand personal letters by attorneys to their respective clients and there were printed and distributed six

hundred forty thousand circulars, besides broadcasting speeches over five different radio stations.

In addition to the above, committees were organized in various towns throughout the county and much newspaper publicity was obtained by the efforts of these various committees and sub-committees. The Association is deeply indebted to the newspapers of the City and County of Los Angeles in carrying through this campaign. Each of the newspapers of the county opened its columns generously to the campaign committee.

We believe that marked progress has been made toward a better understanding by the press of the motives and purposes of the Association in these campaigns, and we look forward with confidence to the time when the press, public and bar will be able to carry on a thoroughly united movement in behalf of a better bench, a better bar and improved methods for the administration of justice.

It was at first intended that the Judiciary Committee and the Board of Trustees should acknowledge by individual letter the valuable services of approximately seven hundred members of the bar who contributed in funds or service to these campaigns, but upon the ground of economy it was thought best to make such acknowledgment in this report, being confident that the members would all understand that it is none the less heartfelt and sincere, even though somewhat delayed.

The increasing enthusiasm manifested by the members of the bar in the judiciary campaigns conducted by the Bar Association is a matter of deepest gratification to those who have been privileged to assist in carrying on this work. We are also glad to report that the attitude of the public toward recommendations made by the Association is being received with distinct favor. Apparently these recommendations are receiving more and more the confidence and support of the public. Hundreds of

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no ing organizations were desirous of listening to the Bar Association speakers, and the literature sent out received a cordial welcome.

We are confident that the campaigns for the selection of judicial candidates should be continued and that the bar can render no better service to the public than by giving to them the benefit of their advice and counsel in the selection of persons to fill judicial positions.

EUGENE OVERTON,
President, Los Angeles Bar Association.
JOHN W. KEMP,
Chairman, Judiciary Committee.

Members of the Committee:

Eliz. L. Kenney
Ray Meacham
S. W. Guthrie
Roy V. Reppy

Merconductors of the Committee:

Wm. T. Aggeler
Oscar Lawler
Mattison B. Jones
A. L. Hickson

Dated: February 15, 1927.

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Annual Report of the Committee on Courts of Inferior Jurisdiction for 1926-27

(Filed February 16, 1927)

To the Los Angeles Bar Association:

Your Committee on Inferior Courts, composed of Wm. W. Clary, John H. Waldo, Hon. E. V. Rosenkranz, Lloyd Wright, Thomas B. Reed, Kimball Fletcher, Hon. Georgia P. Bullock, Hon. J. M. Friedlander, Hon. Thos. L. Ambrose and John Perry Wood, begs to report as follows:

Various meetings have been held throughout the year of the committee as a whole, and of a sub-committee thereof, with respect to matters relating to the Municipal Courts. As a result your committee presents for consideration four matters:

1—A proposed amendment of Section 11 of Article 6 of the Constitution. For the purpose of submission of such amendment a proposed joint resolution is presented herewith. The portions which are capitalized indicate the proposed changes in the present Section 11.

2—A proposed bill to modify Section 21 of the Municipal Court Act, which provides for the election of a presiding judge annually, and for his removal by a majority vote of the judges of the Municipal Court.

3—The necessity of vigorous opposition by the Bar Association of two measures pending in the Legislature known as Assembly Bill 695 and Assembly Bill 700.

4—The desirability of support by the Bar Association of a measure which your committee has caused to be introduced in the Legislature known as Senate Bill 776.

I.

WITH RESPECT TO PROPOSED AMENDMENT TO SECTION 11 OF ARTICLE 6 OF THE CONSTITUTION.

Under the present constitutional scheme your committee believed as to all matters at law involving amounts between \$300 and \$1000 there is a concurrent jurisdiction in the Superior and Municipal Courts. It therefore set about amendment to make the jurisdiction in the Municipal Court exclusive. Since then the decision of the District Court in People v. DeNault, 52 C. A. D., 256, speaking broadly, held that the jurisdiction of the Municipal Court is exclusive as to matters arising within the city, and that the Municipal Court has no jurisdiction as to such matters arising outside the city.

It seems, nevertheless, necessary to clear up by constitutional provision this question of jurisdiction. The amendment as proposed provides that the jurisdiction of the Municipal Court shall be exclusive in all civil cases in which the property in controversy is located, or where all the defendants reside, within the city in which the court is established, and in all criminal cases where the offense is committed within the city. As to cases where the property is located outside the city, or where some of the defendants reside outside the city, or where the criminal offense is committed outside the city, the Municipay Court will have such concurrent jurisdiction as may be prescribed by the Legislature.

It was thought by the committee that since the court is maintained by the county, but under the decision in People v. De Nault has no jurisdiction at present as to matters arising outside the city, elastic provision should be made whereby jurisdiction outside the city may be conferred by the Legislature and changed as experience may find desirable. Therefore, the amendment in its proposed form.

Until the decision of the District Court of Appeal in Simpson v. Payne, 51 C. A. D. 374, it was the opinion of the county counsel, and other lawyers who had given the subject some attention, that under the present provisions of Section 11 the power to fix the salaries of the attaches of the Municipal Court in Los Angeles County was vested in the board of supervisors of that county, and that the provisions of the Municipal Court Act

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purporting to fix those salaries were ineffective. Since the salaries of the clerks and attaches of the Municipal Court are paid out of county funds, and since there should be some uniformity as to the salaries of those clerks and attaches, and the clerks and attaches of the Superior Court performing similar functions, it seems particularly desirable that the salaries of the clerks and attaches of the Municipal Court should be fixed by the same body, that is, the board of supervisors, that fixed the salaries of the clerks and attaches of the Superior Court. An additional reason is found in the history of the case relating to the Municipal Court before the Legislature, where, by log rolling methods salaries were established upon a basis, to say the least, quite unscientific.

At present no method is available for transfer of causes from the Municipal Court to the Superior Court, or to a Justice Court, or from those courts to the Municipal Court. The desirability of such transfer seems obvious. The necessity for it is not removed by the power of the chairman of the judicial council to assign to the Superior Court judges from a lower court. The calendars of the Superior Court are badly crowded. The calendars of the Municipal Courts are uncrowded. The time may, of course, come when this situation will be reversed. The judicial council cannot assign judges from a higher to a lower court. It seems, therefore, desirable that provision be made for the transfer of causes between the Municipal Court on the one hand and the Superior Court, or Justice Courts, on the other hand, and vice versa. The proposed amendment enables the Legislature to make provision for such transfer.

In the provisions of Section 11 authorizing the establishment of small claims court, a change is proposed enlarging the jurisdiction of such small claims court from \$50 to \$100.

One other modification of the present Section 11 is proposed, which gave your committee considerable concern, but upon which, after much discussion, the committee was substantially in agreement. That change is an increase of the jurisdiction of the Municipal Court from \$1000 to \$2500. The reasons for this, in your committee's view, are these: The purpose of the Municipal Court was to relieve the Su-

perior Court of the mass of commercial litigation, most of which arises within the city. The Municipal Court has no equity jurisdiction. The actions are almost exclusively actions for money. Under the decision in the case of People v. DeNault the Municipal Court jurisdiction is in effect limited to causes arising within the city. A Municipal Court with a jurisdiction limited to \$1000 offers but a half-way relief. There seems no good reason why this court should not have jurisdiction of amounts up to \$2500 in these almost purely commercial cases arising within the city. In other states, notably in Illinois, where is situated the excellent Chicago Municipal Court, the jurisdiction in contract cases is either unlimited, or of amounts much in excess of \$1000. The committee deemed of little weight the argument that the judges of the Municipal Court ordinarily are not of the same caliber as the judges of the Superior Court. With the salary substantially the same as in the Superior Court, operating as a court of record, with the bar taking an evermore active part in the selection of judges, judges of the Municipal Court ought to be expected to be entirely qualified to handle money matters up to \$2500.

II.

WITH RESPECT TO PROPOSED BILL TO AMEND SECTION 21 OF THE MUNICIPAL COURT ACT.

Section 21 of the Municipal Court Act makes the presiding judge of the court elective annually and subject to removal at any time by a majority vote of the judges of the court. The proposed amendment attached hereto provides that the presiding judge shall serve for the remainder of the term for which he has been elected or appointed as judge of the court, and requires for his removal a two-thirds vote of all of the judges of the court.

Your committee regards this change as extremely important if efficiency in the Municipal Court is to be increased or maintained.

Competent investigators report with unanimity that in the courts of large cities, with many judges of equal rank, some jealous of their prerogatives, or zealous as to the sort of work that they will do, the law of diminishing returns operates

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and that the average efficiency decreases as the number of judges increase. can be overcome only by coherent effective business administration. It must be somebody's sole business to get results from the judicial machine. He must be invested with adequate powers and for a sufficient period of time. He must not be subject to control through too easy removal. He must be placed in position where he can assign causes impersonally, arrange for specialization of departments for assignment of judges to work in departments with a view to their peculiar fitness. He must be able to change the work of the judges when the interest of efficiency requires. Independence of judgment in the decision of causes must, of course, be preserved implicitly. This is. however, quite different from independence in administration. This results in inefficiency and is usually the natural product of the lack of administrative supervision. With such supervision the capable and conscientious judge has an even greater independence. The best efficiency of each of the judges is promoted.

The present Section 21 in terms gives to the presiding judge ample power to assign and re-assign judges to departments, to apportion the business of the court among the several departments, to transfer causes from one department to another to facilitate the dispatch of the business of the court. However, too great a potential deterent to the proper exercise of these powers exists in the present limitation of the term of the presiding judge, and in his easy removal. The amendment is calculated to remedy this defect.

Another consideration strongly calls for this amendment. Too many persons and interests connected with the court, or outside of it, seem to feel that they are interested in having this judge or that judge in some particular department. their reasons are mistaken ones, but they are none the less active. Recently the judges have been subjected to importunity with respect to the selection of the presiding judge upon grounds having nothing to do with the business administration of the From this the judges should be protected so far as possible. The selection of the best man possible, for the longest period possible, is the best way to minimize this evil.

May I direct your particular attention to the fact that the bill herein proposed has not been introduced in the Legislature. If the president and trustees of the Association approve your committee's report, they should take appropriate steps to see that the bill is introduced. Your committee is informed that little difficulty need be anticipated in securing the necessary consent for the introduction of the bill at the second session.

III.

As To Assembly Bill 695 and Assembly Bill 700.

Two bills have been introduced in the Legislature known as Assembly Bill 695 and Assembly Bill 700, which your committee believes are pernicious in effect and should be vigorously opposed by the Bar Association.

The measures, if adopted, will have the effect of removing entirely from the checking and supervision by the county auditor all moneys received in the Municipal Court as fines and bail and create a special corps of auditors, appointive by the city mayor, the scheme and manner of whose audit will be entirely in their control without any prescription by legislative enactment.

The first of these bills amends Section 1463 of the Penal Code. Under that section, in its present form, all fines and forfeitures must be deposited with the county treasurer, who, once each month, must pay over to the city such portion of the fines and forfeitures as under the section belong to the city. Automatically the provisions of the Political Code for the auditing by the county auditor of the accounts of the county treasurer apply. Under the amendment by Assembly Bill 695 the clerk of the Municipal Court will deposit all moneys collected by him in a bank, selected by him, in a special official account out of which he will refund any bail exonerated by the court, and pay over monthly to the county treasurer the moneys belonging to the county and to the city treasurer the moneys belonging to the city. Whether the moneys go to one or the other depends upon whether the arresting officer was a county or city officer.

Assembly Bill 700 adds a new Section

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31 to the Municipal Court Act. This substitutes for the present auditing of accounts of the Municipal Court an audit by a special corps of seven auditors, appointed by the mayor, drawing salaries from \$250.00 to \$450.00 per month. In addition, under this measure, the mayor may appoint such additional auditors at \$250.00 per month as business may require, presumably in the opinion of the mayor. No system of accounting is prescribed. It is left entirely to the auditor and he is not subject to the supervision of the State Board of Control as is the county

The measure is limited to cities of the first and one-half class, that is to Los The purposes of these two measures seems obvious and should not be permitted to prevail.

IV.

As To SENATE BILL 776.

The purpose of this measure is the same as a measure introduced at the 1925 session, there known as Senate Bill #807, which failed passage.

The Act relates to the election of judges of courts of record. In effect it makes each vacancy a separate office for purpose of election. It requires each incumbent judge, who is a candidate for election, within a given period prior to the day for filing nominating petitions, to file a declaration of intention to become a candidate for some certain one of the designated numbered offices. Thereafter, and within a specified period, each other candidate is required to file a declaration of the particular numbered office for which he is a candidate. A copy of the proposed bill is presented herewith.

The presentation of this enactment your committee deemed within its purview, in view of the fact that a similar plan applies now by law in the election of judges of the Municipal Court, and having in mind its very great advantage. The effect of the bill, if adopted, will, in the judgment of your committee, be as follows:

1—It will tend to prevent opposition to, or enable ready election at the primaries of, men on the bench whose record of service is good.

2—It will enable a well qualified contender to compete against a weak or unfit incumbent directly, instead of having to run against all the incumbents as at

present.

3—It gives the public a more genuine opportunity to vote intelligently and to make effective well grounded opposition to Under the present sysany candidate. tem each effort to dislodge a weak incumbent requires every candidate, incumbent and non-incumbent, to make the same campaign as though the attack were against him individually.

4—The general effect of the measure would be to encourage good men to aspire to judicial office because it would be easier for such men to remain there, and to prevent unfit men from aspiring to

or remaining in the office.

It seems to your committee that the bill will work this way: Assume there are six vacancies, and that of the incumbents four are clearly good judges. Those four would probably have no opposition, something to be desired if the office is to be attractive to good men. Assume that of the other two one is a good judge but not strong politically, and that the other is a man who ought to be displaced. The attention of the bar and the part of the public that thinks about these things would not be divided and distracted by the necessity of supporting the first four mentioned; on the contrary, they could give the total of such attention as they devote to the subject to supporting the good man who has opposition and to the support of a strong candidate against the unfit incumbent.

If this bill is to pass, active effort by the various Bar Associations of the State will be necessary. At the last session of the Legislature the similar measure, alendorsed by various judges throughout the state, including all but two of the judges of the Superior Court for Los Angeles County, was defeated through the efforts practically of one judge, who apparently feared its effect

upon himself.

Your committee believes the bill to be of the utmost importance, if the wellconsidered opinion of the bar respecting judicial cadidates may be made effective.

Respectfully submitted,

JOHN PERRY WOOD. Chairman.

Dated: February 16, 1927.

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SENATE CONSTITUTIONAL AMENDMENT

No.

A resolution to propose to the people of the state of California an amendment to the Constitution of said state by amending section eleven of Article six thereof, relating to Municipal Courts.

Resolved by the Senate, the Assembly concurring, that the Legislature of the state of California at its forty-seventh regular session, commencing on the third day of January, 1927, two-thirds of all the members elected to each of the two houses voting in favor thereof, hereby proposes to the people of the state of California that section eleven of Article six of the Constitution be amended to read as follows:

Sec. 11. In any city and county and in any city which is governed under a charter framed and adopted under the authority of this Constitution containing a population of more than forty thousand inhabitants, as ascertained by the last preceding census taken under the authority of the Congress of the United States, a municipal court may be established as in this article provided, anything in this Constitution to the contrary notwithstand-For each such municipal court at least one judge shall be elected by the qualified electors of the city or city and county at the general municipal election, and such additional judges as shall be determined by the Legislature. In any city, or city and county, in which there shall be more than one judge of a municipal court, the judges of such court may hold as many sessions of such court at the same time as there are judges thereof, and the business thereof shall be apportioned among the judges thereof in the manner prescribed by law. Municipal courts shall have original jurisdiction, except as hereinafter provided, in all cases at law in which the demand, exclusive of interest, or the value of the property in controversy, amounts to two thousand five hundred dollars or less, and of actions of forcible or unlawful entry or detainer where the rental value is one hundred dollars or less per month, and where the whole amount of damages claimed is two thousand five hundred dollars or less and in cases to enforce and foreclose liens on personal property

where the amount of such liens or the value of the property is two thousand five hundred dollars or less, and in all criminal cases amounting to misdemeanor punishable by fine and imprisonment in the city or city and county or county jail. or punishable by fine or such imprisonment. Such jurisdiction shall be exclusive in all civil cases in which the property in controversy is located, or in which all the defendants reside in the city or city and county in which such court is established at the time of the commencement of the action, and in all criminal cases where the offense was committed in such city or city and county. In other cases coming within the jurisdiction of such courts as fixed by this section but not within the exclusive jurisdiction thereof, such courts shall have such concurrent jurisdiction throughout the county or city and county in which such court is located with other courts established in such county or city and county as may be prescribed by the Legislature. The Legislature may, however, provide for the establishment of courts inferior to municipal courts in cities and cities and counties where municipal courts are established; provided, however, that the jurisdiction of such inferior courts shall not extend to cases in which the claim or demand is more than one hundred dollars.

The Legislature shall determine the number of each of the inferior courts in incorporated towns, and in townships or counties, or in incorporated cities or cities and counties, where there is no municipal court, according to the population thereof, and the number of judges or justices thereof, and shall fix by law the powers, jurisdiction, duties and responsibilities of each of such inferior courts and of the judges and justices thereof, and until such inferior courts are otherwise so determined and provided for, such inferior courts now existing shall, until otherwise provided by law, continue in all respects as established at the time of the adoption of this amendment; provided, that the powers of such inferior courts shall not in any case trench upon the jurisdiction of the several courts of record, except that the Legislature shall provide that said courts shall have concurrent jurisdiction with the superior courts in cases of forcible or unlawful

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entry or detainer, when the rental value does not exceed seventy-five dollars per month, and where the whole amount of damages claimed does not exceed three hundred dollars, and in cases to enforce and foreclose liens on personal property when neither the amount of liens nor the value of the property amounts to three hundred dollars.

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The Legislature shall provide by general law for the constitution, regulation, government and procedure of municipal courts, except as otherwise specified in this section, and for the establishment of municipal courts in cities or cities and counties governed under charters framed and adopted under the authority of this Constitution, and having the population hereinbefore in this section specified. Upon the taking effect of general law, a municipal court may be established in any such city or city and county whenever the charter thereof or amendment to such charter shall provide that there shall be a municipal court therein, or whenever the assent of a majority of the qualified electors of such city or city and county voting upon the question of the establishment of such municipal court, and expressed in such manner and form as the Legislature shall by general law prescribe, is given to the establishment thereof. The manner in which, the time at which, the term for which the judges, clerks and other attaches of municipal courts shall be elected or appointed, the number and qualifications of said judges and of the clerks and other attaches, except as such matters are otherwise provided in this article may be prescribed by the Legislature, but the city council, board of supervisors or other legislative body of the city, city and county or county which by law is charged with the payment of the compensation of officers of municipal courts may by ordinance fix the compensation of the officers and attaches of such courts other than the judges thereof. Such city council, board of supervisors or other legislative body may also fix by ordinance the number of assistants and deputies, stenographers, bookkeepers and other employees of the officers of such courts. The provisions of any such ordinance as to the matters herein authorized to be fixed thereby shall prevail over any general law enacted by the Legislature.

The compensation of the justices or judges of all courts of record, shall be fixed and the payment thereof prescribed by the Legislature.

In any city or in any city and county where such municipal court has been established, and in townships situated in whole or in part in such city or city and county, there shall be no other court inferior to the superior court except as herein provided; and pending actions, trials, and all pending business of inferior courts within such city or city and county or township upon the establishment of any such municipal court, shall unless otherwise provided by law be transferred to and become pending in such municipal court, and all records of such inferior courts be transferred to and thereafter be and become records of such municipal court.

Cases begun in the superior court which were properly within the jurisdiction thereof when filed, shall not be affected by the provisions of this section but any such case within the jurisdiction of a municipal court, as fixed herein, may be transferred to a municipal court on motion of any party thereto. The Legislature may provide for the transfer to and from a municipal court, from or to any other court, of any case begun in any court which is within the jurisdiction of the municipal court.

Upon the establishment of any such municipal court, and until the first election and the qualification of the judge or judges thereof and the first appointment and the qualification of the clerks and other attaches thereof, the judges or justices and the clerks and other attaches of any existing inferior courts in such city or city and county or township shall become and act as the judges, clerks and attaches respectively of such municipal court. Whenever any city having a municipal court is formed into a consolidated city and county with the combined powers of a city and county, under proceedings therefor as elsewhere in this Constitution provided, such municipal court shall thereupon and thereby be and become the municipal court of such city and county, and the provisions of this article applicable to municipal courts in cities shall be applicable to the municipal court of such city and county.

An Act to amend section 21 of an Act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the presiding judges of Municipal Courts.

The People of the State of California Do Enact as Follows:

Section 1. Section 21 of an act entitled 'An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their term of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, is hereby amended to read as follows:

Section 21. The municipal court shall be divided into as many departments as there are judges of said court. The judges of said court shall choose from their number a presiding judge, who shall serve for the remainder of the term for which he has been elected or appointed a judge of said court. The presiding judge may be removed at any time and another chosen in his place by a two-thirds vote of all the judges of said court. presiding judge shall assign the judges to their respective departments; but any judge may preside in any department in case of the absence or inability to act of the judge of such department. In the absence or inability to act of the presiding judge, the remaining judges may select one of their number to act as presiding judge during such absence or inability; and his official acts during such time shall have the same force and effect as though made or done by the presiding judge. The presiding judge shall have power to apportion the business of said court among the several departments and to transfer cases from one department to another, if necessary or convenient to facilitate the dispatch of the business of said court. The judgments, orders and proceedings of any session of the court held by any one or

more of the judges of said court, shall be equally as effectual as though all the judges had presided at such session.

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SENATE BILL 776.

An Act to regulate the method of voting and electing candidates for judicial offices at primary and general elections by giving each office a designating number for the purpose of elections where two or more judges or justices of any court of record are to be elected for the same term at the same election.

The People of the State of California Do Enact as Follows:

Section 1. In any election hereafter held at which two or more judges or justices of any court of record are to be elected for the same term, and in the primary election preceding such election, it shall be deemed for all purposes of such election and primary election, and at all stages and proceedings thereof, including the canvass of returns and the declaration of the result, that there are as many separate judicial offices to be filled as there are judges or justices of said court of record to be elected. Each of said separate offices shall be designated by a distinguishing number not greater than the total number of such judges or justices to be elected for the same term at the same election. As to justices of the Supreme Court and District Court of Appeal, such designation shall be made by the Secretary of State. As to other judges of courts of record, it shall be made by the Registrar of Voters, if there be one, otherwise by the county clerk of the county in which the election is to be held.

Such designation shall be filed and posted in the office of such secretary, registrar or clerk, as the case may be, and published once in a newspaper of general circulation of the county wherein is the office of such designating officer.

Such designation shall be made, filed, posted and published not more than ninety nor less than forty-five days before the first day on which nominating papers may be circulated and signed for such judicial office or offices.

Such designation shall remain the same for all purposes of both primary and general election and shall be used on all nomination papers, certificates of nomination, ballots, certificates of election and on all election papers referring to such office.

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ame genAfter election and the issuance of the certificates of election such designating number shall have no further significance.

Section 2. Each candidate, who is an incumbent, for any judicial office referred to in section one hereof, not more than forty nor less than twenty-five days prior to the first day on which his nominating papers may be circulated and signed, and all other candidates not more than twenty-five nor less than ten days before his nominating papers may be circulated and

signed, shall file in the office in which his nominating papers are required to be filed, a written and signed declaration of his intention to become a candidate for such office and therein shall designate by one of the numbers determined pursuant to section one hereof, the particular office for which he intends to become a candidate.

Section 3. Such offices shall be separately designated by such numbers upon all ballots and separately grouped and arranged thereon in numerical order. No person may be a candidate for any other of such number—designated offices, than the one designated by him in his declaration of intention to become a candidate.

Annual Report of the Committee on Constitutional Amendments for 1926-27

(Filed February 25, 1927)

To the Los Angeles Bar Association:

Committee on Constitutional Amendments approached its task seriously. The personnel of the committee-Leonard B. Slosson, Frank Karr, Edward E. Bacon, Frank W. Stafford, Erwin W. Widney, George Varnum, David E. Fulwider, Richard C. Goodspeed and Charles H. Brock -was a guarantee of conscientious effort and individual scrutiny. We tried faithfully to analyze the various proposed constitutional amendments, to find the flaws, and to weigh the advantages against the disadvantages in each measure, expressing our ultimate conclusion in the form of a recommendation for or against each proposed amendment, except in two instances.

The two instances were the Water and Power five hundred million dollar bond issue, and the initiative amendment providing for the use of the Bible in the schools. We felt that the one was political and economic in its nature, involving no technical legal analysis or professional con-The other was political, or sideration. quasi-religious, in its nature, involving no technical examination and, hence, outside the functions of the committee. recommended that the Los Angeles Bar Association take no official action on either of these proposed amendments. We believed that the members of the Association already had their individual opinions as voters on these matters, and that an expression of opinion thereon by the committee might justly be regarded as an unwelcome intrusion.

For convenience we grouped the amendments into general classifications as nearly as possible according to cognate subject matter. Group I comprised those amendments which pertained to the courts, substantive law, or the electorate. In this classification were the amendments pertaining to the Judicial Council, the pensioning of judges, salaries of judges, giving appellate courts trial court powers, election of judges and other non-partisan

officers at the primaries, extending to absent voters engaged in civil or congressional service the provisions of the present suffrage law, and a change in the corporation law by permitting increase of stock or bonded indebtedness by the assent of holders of two-thirds of the stock and eliminating the present requirement of sixty-day public notice. These amendments were numbered 27, 19, 16, 26, 23, 13 and 14 respectively. We made a favorable recommendation as to each and gave the reasons for our conclusions.

As to the extension of the power of the appellate courts, the committee was not unanimous in its recommendation. Particular criticism was directed to the provision in the last sentence of the amendment which confers upon the appellate court the power "to take additional evidence of or concerning facts occurring at any time prior to the decision of the appeal." This, in effect means that the cause may ultimately be tried by the appellate court upon evidence occurring at any time up to and including the decision on appeal, permitting the introduction of testimony occurring after the decision by the trial court. It may be that in many instances this would be very much in the interests of justice. On the other hand, permitting the introduction of evidence and thereby the change of issues subsequent to the trial of the cause in the trial court might, it was feared, work to defeat justice. It seemed to some of the members of the committee that when the effect of this should be well known, parties to litigation who might wish to avoid such a situation would demand jury trials, for the amendment is by its terms not applicable to cases where there is a jury trial. So, where there is a jury trial the decision in the trial court on questions of fact is final. The majority of the committee held to the opinion that the courts and the Legislature could be depended upon to carry out the provisions of the amendment and give effect to its

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meaning and beneficient purpose properly and equitably.

The Amendment No. 19 on the ballot was entitled "Pensioning Judges." It was defeated at the polls. It was feared that its title would cause its defeat. It is an interesting query whether it might not have smelt sweeter to the electorate if the rose had had a different name—such as the "retirement" of judges, for example.

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of hen wn, to and its iere ury on rity hat be its In Group II were comprised the amendments relating to taxation—Nos. 10, 7, 8 and 2. The one of outstanding interest was No. 10, pertaining to the state bond issue for state buildings and for University of California buildings. The electorate adopted this amendment by an overwhelming vote. No. 8, which provided for a state highway system, had the approval of our committee, and of the people in Southern California, but was beaten by the opposition in the North.

Group III embraced amendments providing for exemption from taxation. Our committee was opposed to the exemption from taxation of privately owned schools; and we opposed the exemption of cemeteries. We favored the exemption of forest trees from taxation, and favored No. 12, which exempted from taxation certain classes of veterans and certain small institutions.

In Group IV were comprised the amendments which relate to political subdivisions, or which pertain to matters of policy.

The two reapportionment amendments were the leading features under this heading. Our committee favored No. 20, which was "made in Los Angeles" by the "All Parties Reapportionment Committee." We characterized this measure as "brief, simple, comprehensive in its scope and quickly made effective." The people thoroughly disagreed with us at the polls.

We recommended that No. 28—styled the "Federal Plan"—be opposed. We pointed out that if it should be adopted, Los Angeles County would not only fail to get additional senators by reapportionment but she would lose all but one of her present senatorial representatives. The voters in their wisdom adopted this amendment.

We favored the adoption of Nos. 15, 24, 21 and 5 on the ballot. No. 21 provided that a proposition to be voted for incurring indebtedness may be adopted by a two-thirds vote of the electors voting for that particular proposition. The law before the adoption of the amendment required a two-thirds vote of all the electors voting in the election at which the proposition is submitted.

No. 5 on the ballot provided for the increase of salaries of certain state officers and was meritorious. But it is always hard to convince an electorate that it is good business ever to increase the wages paid to a public servant.

One of the members of our committee suggested that we attempt a revision of the constitutional provisions pertaining to corporations. If there had been sufficient time we would have liked to give the subject serious consideration, for the importance of such a revision must appeal strongly to all the members of the profession. An important first step toward the proposal of such a consideration might well be taken by such a committee of the Association. We trust that some day such a committee may have both the time and the inclination for the task.

Respectfully submitted,

Russ Avery, Chairman.

Dated: February 24, 1927.

Annual Report of the Committee on Substantive Law for 1926-27

(Filed February 7, 1927)

To the Los Angeles Bar Association:

The Committee on Substantive Law during the past year has consisted of the following:

Tracy C. Becker, Wm. A. Barnhill, George W. Nix, Harry L. Dunn, Kimpton Ellis, F. Walton Brown, Marvin Osburn, Victor P. Showers and Irving M. Walker (chairman).

Among other matters that received the attention of the committee were the following:

The office of the city attorney of Los Angeles, California, had under consideration the possible amendment of existing laws with reference to the collection of those assessments for public improvements which were less in amount than \$25.00, and asked for the co-operation of the Los Angeles Bar Association. The chairman of the Committee on Substantive Law appointed a sub-committee consisting of Mr. Wm. A. Barnhill, chairman, Mr. Tracy' C. Becker and Mr. Marvin Osburn. By reason of the fact that any amendments which might be suggested had to be presented to the Legislature at a very early date, it was necessary for these gentlemen to work under pressure. Conferences were had by the sub-committee with representatives of the city attorney's office, notably Mr. Cragin, with Mr. Marshall Stimson of Los Angeles, who had interested himself in this matter, and with various attorneys whose professional work had brought them into close contact with the laws relating to public improvements in municipalities. It promptly developed that the existing laws lent themselves to the practice of many injustices from which the property owners were suffering. It was also apparent that the proposed revision of the laws in question should cover a much broader field than that indicated by the suggested amendment. The subcommittee presented a detailed and carefully considered report, which was adopted in substance by the Committee on Substantive Law and passed to the Board of Trustees. We do not believe that the detail of the report should be the subject of comment here, but in substance it recommended that the Bar Association should support certain amendments which had been prepared by the city attorney's office and which amendments were designed to correct some of the most obvious faults of the existing laws, and further that a committee should be appointed by the Bar Association for the purpose of making a careful study of the existing laws pertaining to public improvements, with a view to correcting comprehensively the many faults and deficiencies of those laws.

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The Women Lawyers Club of Los Angeles appointed a committee to draft legislation with a view to amending the community property law with reference to "sole traders," and with a view to enacting a law relative to the publishing of banns before marriage. The Women Lawyers Club requested the co-operation of the Los Angeles County Bar Association and the matter was referred to the Committee on Substantive Law. The Women Lawyers Club, through its chairman, Miss Caroline Kellogg, submitted drafts of the proposed legislation and after discussion and consideration thereof, the Committee on Substantive Law forwarded its report and recommendations to the Board of Trustees of the Bar Association.

Some other matters that have been before the Committee on Substantive Law but which as yet have not been the subject of reports to the Board of Trustees of the Bar Association, are as follows:

The question as to whether or not provision should be made for releasing property from the lien of a mechanic's lien through the medium of a bond furnished by the owner of the property;

The question of amending Section 287 of the Code of Civil Procedure by adding a subdivision which would provide that

an attorney might be disbarred or suspended when it appeared that he had been disbarred or suspended by a court of record of any other state or territory;

The question as to whether or not there should be a law prohibiting the recordation of documents not entitled to recordation and providing for penalties for a violation of such a law.

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287 ling that At the present time a sub-committee of the Committee on Substantive Law, consisting of Mr. Harry L. Dunn, chairman, Mr. Victor Showers and Mr. F. Walton Brown, has under consideration the drafting of a law, under the terms of which, candidates for the Superior Court will be required to run for a particular department of that court. This sub-committee will presently give to the committee as a whole the result of its efforts along this line.

In closing, the chairman wishes to express his appreciation of the work which has been done by the members of the committee and the unfailing willingness of each member to undertake any assignment that has been suggested.

Respectfully submitted,

IRVING M. WALKER, Chairman.

Dated: February 4, 1927.

Annual Report of the Committee on Pleading and Practice for 1926-27

(Filed February 15, 1927)

To the Los Angeles Bar Association:

Your Committee on Pleading and Practice begs leave to report that during the year no matters have been referred to it by the Association. A number of meetings were held. All of them were well attended. While the discussions did not ripen into any definite proposals, the members of the committee, at least, benefited thereby.

Realizing the importance of the measure providing for the establishment of a Judicial Council, and hopeful that the proposed council would ultimately prove to be an effective means of bringing about the much needed procedural forms, the members of the committee centered their attention upon this measure and took an active part in securing its adoption by publication of "copy" furnished by the Commonwealth Club's campaign committee and otherwise giving their support to the measure.

Many specific amendments might be submitted, but the trend appears to be in the direction of a more general and comprehensive reform and simplification. Only a permanent body created for the purpose, with ample powers and opportunity for sustained effort and thorough study, can hope to meet the current and ever-growing demand in this respect.

Respectfully submitted,

Fred N. Arnoldy, Chairman.

Members of the Committee:

Albert M. Stephens
Adolph B. Rosenfield
Chas. D. Ballard
Geo. H. Gobar

Berton A. Weyl
E. S. Williams
H. B. Cornell
Henry L. Knoop

Dated: February 16, 1927.

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Annual Report of the Committee on Criminal Law and Procedure for 1926-27

(Filed February 16, 1927)

To the Los Angeles Bar Association:

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The purpose and function of the Committee on Criminal Law and Procedure are conceived to be twofold, to-wit:

First: To logically and diligently explore and definitely determine and establish the underlying and too often hidden and unperceived causes of crime.

Second: To devise and recommend effective means of eliminating the causes of crime and for the prevention and punishment of crime and to that end to suggest appropriate legislative action and to consider and approve or disapprove proposed penal legislation.

The committee in its general activity has made an extended study of the apparent appalling prevalence of crime throughout the United States and has arrived at two chief conclusions:

First: The crime problem must be treated scientifically, that is extended research and laboratory work must be done by skilled and capable economists, psychologists, pychiatrists, physicians and lawyers to the end that the underlying cause of crime, the "crime germ," as it were, may be definitely ascertained and isolated and effective means of destroying such cause devised and employed.

Second: There must be some sane and reasonable revision of criminal procedure tending to a more speedy and exact enforcement of the substantive law prohibiting crime.

The commission in its specific activities has considered, approved and recommended the adoption of two proposed acts, to-wit:

First: One revising Section 476a of the Penal Code relating to the drawing of checks and drafts without sufficient funds.

Second: Another designed to change the personnel of the parole board in cities of the class to which Los Angeles belongs.

The commission has further considered the report of the commission for the reform of crime procedure appointed by the Governor of the State and of which the Honorable Walter K. Tuller is chairman, and has formulated a tentative report, but in view of a divergence of opinion of its members with respect to some of the more important innovations thereby suggested the committee has decided that no report shall be submitted in regard thereto.

The committee strongly recommends the creation of a commission composed of competent persons for the thorough and scientific investigation of the causes of crime so that there may be speedily and definitely ascertained the part played in the commission of crime by ignorance, want of moral and religious conceptions, poverty, vicious environment, insanity, and other diseases, and other unknown causes, thus providing a basis from which to devise means of destroying the causes of crime.

Special credit for helpful suggestions is due to Caroline B. Kellogg, J. M. Friedlander, Charles W. Fricke, H. L. Giesler and Raymond I. Turney.

> PERCY V. HAMMON, Chairman.

Members of the Committee:

Chas. W. Fricke
H. L. Giesler
Raymond I. Turney

C. A. Ballreich
Caroline Kellogg

Dated: February 16, 1927.

Annual Report of the Committee on Legislation for 1926-27

(Filed February 28, 1927)

To the Los Angeles Bar Association:

Due to the fact that the State Legislature was not in session during the year 1926, your Committee on Legislation did not take the affirmative action that would otherwise have been called for. Various proposed legislative enactments were given consideration and study, but no specific recommendations were made by the committee as such. The members of said committee on the whole functioned in cooperation with and lent approval and support to the signally outstanding and notably important legislation on which the attention of members of the bar has been centered during the last year, and which is being sponsored by the Los Angeles Bar Association through other special committees within the scope of the activities of which such proposed legislation more specifically fell.

To enumerate, reference is made to the passage of the Municipal Court Act, and the introduction of an act to regulate the method of voting and electing candidates for judicial offices, measures directly furthered on the part of the Bar Association by the Committee on Courts of Inferior Jurisdiction; to the proposed revision of existing laws pertaining to the collection of delinquent assessments for public im-

provements, studied and recommended by the Committee on Substantive Law; to the work of the Committee on Criminal Law and Procedure in propounding proposals for corrective additions and modifications to our penal laws, the better to meet modern social problems and conditions; and, lastly, to the proposed legislation with which the Bar Association as such is most directly concerned, the Self-Governing Bar Bill.

Various topics of suggestive legislation have been referred to and given study by your committee. These topics include the following: Trusts for civic purposes, the liability of political subdivisions, limitation of liability of common carriers and other private corporations engaged in public capacity, bonding of contractors, usury law, organization of corporations without stockholders liability, clarification of building loan laws, and co-operative apartments.

Members of the Committee:

WM. J. CARR, Chairman. Frank C. Weller Elmer P. Bromley Otto Emme Henry E. Carter Paul Overton Oda Faulconer Harry A. Chamberlin Joseph W. Vickers

Dated: February 26, 1927.

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Annual Report of the Committee on Legal Education for 1926-27

(Filed February 25, 1927)

To the Los Angeles Bar Association:

In the last annual report of the Committee on Legal Education certain recommendations were made for the purpose of securing and placing before the Bar Association information regarding legal education and admission to the bar.

Having in mind the pendency of proposed legislation for the incorporation of the bar in California, your committee is of the opinion that activities of the Association may very well be limited to accumulation of information, until action on the proposed legislation has been taken. If this legislation becomes the law of this state, undoubtedly the incorporated bar will wish to formulate some definite rules and requirements both for legal education and for admission to the bar. Your committee is of the opinion therefore, that at this particular time the Los Angeles Bar Association should assume an attitude of "watchful waiting" so that whatever program is determined upon by the incorporated bar may receive the sanction and support of this Association.

This report of the committee is therefore designed only for the purpose of giving certain information to the Board of Trustees and the members of the Association respecting the number of students now engaged in legal study in this county. The number of students enrolled in schools not meeting the standards established by the American Bar Association is disproportionate, as compared with other parts of California.

A survey of the facilities for legal education in Los Angeles County shows that there are now six schools offering legal instruction. All of these schools are located in the City of Los Angeles, one of them, however, having a branch in Long Beach. Based upon reports submitted to the American Law School Review, there are approximately 3700 students in law schools in the State of California, and of this number about 1800

are studying in Los Angeles County alone. The exact figues show that 1781 are attending schools in Los Angeles County and 1901 are attending schools in all other sections of the state.

Previous action of the Los Angeles Bar Association has resulted in the indorsement of those standards of legal education established by the American Bar Association. In conformity with those standards, there are four Class "A" law schools in the State of California and only one of these is located in Southern California.

Further reference to the number of students now attending law schools in California shows that only 345 of the 1781 students in Southern California are attending a Class "A" school, in other words, a school which meets the standards established by the American Bar Association and endorsed by the Los Angeles Bar Association. Fourteen hundred thirtysix students in law schools in Los Angeles County are attending schools which do not meet the standards endorsed by this Association. Contrasted with the remainder of the state, it is seen that in all other sections of the state 833 students are attending Class "A" schools and only 1068 students are attending schools which do not meet the standards endorsed by this Association.

This comparison very clearly indicates that Los Angeles County is far behind in requirements for adequate preparation for admission to the bar, based upon the standards established by the American Bar Association and endorsed by this Association.

One of the surprising facts, so far as the local situation is concerned, is that the City Board of Education has established a night law school conducted in connection with one of the evening high schools and the report from this night school indicates that 547 students were enrolled at the beginning of the present school year, 375 of these being in the first year class.

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rlin rs Your committee is of the opinion that some definite action should be taken by the Los Angeles Bar Association by which the Association will undertake to uphold the standards of legal education which have been established by the American Bar Association and which have likewise been adopted as the approved standards of this Association. There is no virtue in adopting resolutions approving certain standards of legal education unless the Association is willing to take some action for the purpose of upholding those standards.

Your committee recommends that the Board of Trustees empower the Committee on Legal Education to conduct an investigation of all the law schools in Los Angeles County for the purpose of determining the future program of such schools with reference to the policy of

such schools toward recognizing the standards heretofore endorsed by this Association. It is also recommended that the result of such investigation be embodied in a report to the Board of Trustees and the members of the Association and be published in the Bar Association Bulletin and given such other publicity as may seem desirable to the Board of Trustees.

Respectfully submitted,

CHARLES E. MILLIKAN, Chairman.

Members of the Committee:

Frank M. Porter
Phil H. Swaffield
E. H. Conley
Thatcher J. Kemp

E. W. Camp
John E. Biby
Rollin L. McNitt
E. Marion Crawford

Dated: February 24, 1927.

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Annual Report of the Committee on Unlawful Practice of the Law for 1926-27

(Filed February 16, 1927)

To the Los Angeles Bar Association:

On behalf of the Committee on the Unlawful Practice of the Law I desire to submit the following report of our activ-

ities during the current year:

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Twelve different matters have been submitted to the committee calling for attention and action. Some have referred to the practice of realtors to advertise that in the following of their profession they were qualified to prepare all necessary "legal" papers.

Some had to do with the activities of certain collection agencies in making use of notaries public, their seals and papers in apparent similitude of legal documents in hastening the payment of delayed debts.

Some had to do with the practice of certain banks to advertise that they were in a position to draw wills of a desirable character, and calculated to be of great benefit to persons owning considerable property and disposed to give it protection in the hands of legatees.

Some had to do with the activities of street improvement associations endeavoring through concerted action to make it possible for property owners affected by condemnation or improvement proceedings to secure a just sum by way of damages

for their property.

In hardly any of the instances brought to our attention has there been, in my judgment, a deliberate disposition manifested to do violence to the law, or to go counter to the established and accepted

ethics of our profession.

In most instances a letter of explanation from the committee indicating that the practice was contrary to the best professional views has brought a response indicative of a desire to afford us complete co-operation. This has been particularly true with respect to the realtors who were really intending to do nothing other than prepare such papers as might be made necessary in consummation of transactions usually negotiated by them. Your committee has not found anything in this practice, thus limited, to warrant additional action.

The collection agencies referred to have gone the furthest in our judgment in doing violence to the best ethical practices. They seem to think that because they are concerned with the business of making apparently dishonest people pay honest debts, they are entitled to go to the limit, and that in a certain sense at least, the "end justifies the means." Their use, however, of notarial seals and demands, and forms calculated to incite the belief that legal action in court has in fact been taken, constitute in our judgment a very grave infraction of the code of ethics, if not of the substantive law. This matter is still pending between some of them and your committee, and perhaps an adjustment may eventually be reached. We think that further time should be accorded to us that a solution may be arrived at.

The action of the improvement associations is still in conference, and we are not prepared as yet to report with finality as to them. Their disposition, however, definitely, so far, is to accommodate themselves to all legal requirements in the premises. On the whole, I am of the belief that the work of your committee has contributed to a better understanding of the status of the legal profession in our midst and of the high ethical considerations that ever must attach to those who are enrolled among its members.

The serious infractions, such as they are, have come from those unacquainted with the ethics of the law, because they have been unassociated with its practice.

I desire to express my warm and heartfelt thanks to the members of the committee who have collaborated so cordially and efficiently. The performance of the labors involved has been a pleasure and we are hopeful that the results obtained will have proven of some practical value.

Respectfully submitted,
BENJAMIN F. BLEDSOE,
Chairman.

Members of the Committee:
Robt. P. Jennings
Isaac Pacht
Leo S. Chandler
Lloyd O. Miller
Joe Crider, Jr.
Dated: February 14, 1927.

Robt. P. Jennings
Frank J. Thomas
Lorin Andrews
Vere Radir Norton
Wm. K. Young
E. A. Meserve

Annual Report of the Committee on Publicity for 1926-27

(Filed February 23, 1927)

To the Los Angeles Bar Association:

The Los Angeles Bar Association Bulletin has filled an urgent need by acquainting our members with the every-day doings in the Association. Without a doubt, our members, by and large, are now better informed concerning the aims and purposes of our work than ever before. And this alone was marked progress. quite obviously, the scope of this publicity was and is far too restricted. For the Association to achieve the greatest good in the community, it is necessary for the public at large to be more closely acquainted with our work. In the ordinary course of events, layment think only of our efforts along disciplinary lines. We have a record of constructive achievement of which we are justly proud; for in so doing, we make possible greater opportunity for service.

Such has been the policy of your officers and your Committee on Publicity. One illustration will serve to show the wisdom of this policy. During the year, when the Association sought to aid the public in the selection of judges, it was quite manifest that, despite our previous efforts to the same end, a great portion of the

electorate were at a loss to account for the sudden outburst of enthusiasm—and above all, the necessary liaison with our newspapers was not intact.

It is expedient to keep the activities of the Association constantly before the public—to demonstrate what we are trying to do to promote the due administration of justice and to increase the usefulness of the legal profession. The true spirit is helpfulness, not braggadocio. We held that a policy of constructive publicity is wise. Much good has been done along this line, but it is recommended that even more attention be devoted to this feature of the Association's activity.

Respectfull submitted,

CHARLES L. NICHOLS, Secretary.

Members of the Committee:

Ruben S. Schmidt, Chairman
Geo. W. Dryer Chas. B. Hazelhurst
John W. Satterwhite Edw. F. Whrle
Marion P. Betty Ezra Neff
David R. Faries

Dated: February 23, 1927.

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Annual Report of Committee on Meetings for 1926-27

(Filed February 24, 1927)

To the Los Angeles Bar Association:

Your Committee on Meetings begs leave to submit the following report of its activities during the Bar Association year:

The committee held the first of its meetings shortly after the appointment had been made and outlined a plan of entertainment of the various meetings of the Bar Association throughout the year.

The first program was given on Thursday, April 22, at which time a most instructive paper was read by Judge Elliott Craig of the Superior Court entitled, "Particular Matters of Pleading and Practice Before the Presiding Judge of the Superior Court." At this meeting the Bar Association Quartette, which is composed of Phillip H. Richards, Frederick W. Williamson, William W. Clary and Everett W. Mattoon, rendered some very beautiful selections.

At the next meeting on Thursday evening, May 27, the subject, "Legal Aspects of California Syndicalism Act," was debated by the Hon. Benjamin F. Bledsoe in favor of the present statute and Leon R. Yankwich for modification of the act. The debate was quite spirited and led to an open discussion of the subject after the two speakers had finished propounding their arguments.

The next meeting was held Thursday, June 24, at which two very instructive talks were delivered by attorneys preeminently qualified to speak upon the subjects assigned to them. Mr. James S. Bennett spoke on the following sub-"Corporate Structure. No Value Stock. Analysis of the Four Recent Decisions of the California Supreme Court." Mr. Edwin B. Drake spoke on the subject, "The Selection of a Jury:
(a) Challenges for Cause; (b) The Psychology of the Selection of Juries." The members of the Supreme Court were present on this occasion. Justice Richards deeply enjoyed criticism of his opinion by Mr. James S. Bennett.

Although it is customary to have no meetings of the Association in the months

of July and August, a special meeting was held on the 9th of July at the University Club, which was addressed by Dean Roscoe Pound of the Harvard Law School. The subject of his address was, "The Law of the Land."

The first meeting after the vacation period was held Thursday, September 30. This date followed the meeting of the American Bar Association and the State Bar Association, and very appropriate were delivered by Kemper addresses Campbell, vice-president of the American Bar Association of California, and by Thomas C. Ridgeway, president of the California Bar Association. Mr. Campbell spoke on, "Echoes From the Denver Convention," and Mr. Ridgeway's subject was, "Echoes From the Yosemite Convention." By means of these two talks from members of our Association, who have been so highly honored, one by the American Bar Association and the other by the State Bar Association, our own members were placed in closer touch with the policies and work of both these organizations. At this meeting a very instructive paper was read by Professor W. Turney Fox of the University of Southern California School of Law on the subject, "Foreign Divorces-Their Legal Status in California."

constitutional amendments most closely affecting the legal profession were naturally a subject of discussion at the next meeting on Thursday, October 28. The Association was very fortunate in securing four of its prominent members to deliver explanatory talks. Mr. Alfred L. Bartlett spoke on Amendment No. 14 on the ballot, relative to the procedure in increasing the capital stock or bonded indebtedness of corporations. Mr. William J. Hunsaker spoke on Amendment No. 19, relative to pensioning of judges after twenty-four years' service. The Honorable Dana R. Weller spoke on Amendment No. 26, relative to giving Appellate Courts trial court powers. The Honorable John Perry Wood spoke on Amendment No. 27, relative to the creation of the Judicial

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Council. After these speakers had concluded, the meeting was turned over to a general discussion and many of the members voiced their opinion on the various amendments.

Due to the holiday season, the meetings for November and December were combined on December 17. At this time the Association was honored by having as special guests Honorable Charles Monroe and Honorable Frank R. Willis, who were to retire from service on January 1 after long and honorable careers on the Superior Court bench. At this same meeting Professor D. O. McGovney of the Law Department of the University of California at Berkeley read a paper on the law of "Consideration for Promises." is a portion of the brief statement of the which has been approved by the American Law Institute. Professor Mc-Govney is one of the collaborators in drafting the brief statement of contract Following the talk by Professor McGovney, two propositions were put up to the meeting for open discussion: (1) Shall the Bar Association recommend to the judges of the Superior Court the abolition of the law and motion calendar as now heard in one department and return to the practice of giving to the judge of each department the opportunity to pass on the pleadings in the cases assigned to him? (2) Shall the Bar Association recommend the retention or abolition of the transfer system of handling cases? Both these questions brought forth lively discussion on the part of many of the members, but no vote was taken.

Those who attended the meeting held on Thursday, January 27, were unusually fortunate in being able to hear instructive papers read by three prominent members of the bar on subjects of vital interest to all lawyers, and on which each speaker was an accepted authority. Mr. Robert P. Jennings had as his subject, "Liability of Vendors." Mr. Mark Slosson read a paper, "Procedure Before the Corporation Commission for the Issuance of Securities." Mr. Marshall Stimson spoke on "The Inadequacy of the Law as Applied to the Collection of Delinquent Assessments for Public Improvements."

The final meeting of the Bar Association year, which was also the annual meeting of the Association, was held on February 17. In addition to having very splendid addresses delivered by Eugene Overton as retiring president and by Kemper Campbell as incoming president, two very interesting and instructive papers were read, one by Mr. Frank James, past president of the Association, his subject being, "The Law of Options"; the other, by Mr. Clair S. Tappan, lately returned from a tour of Europe, who chose the subject, "The Law Merchant as Applied to the Mohammedan, Continental European and the Anglo-American Law Systems."

It is to be regretted that space will not permit an extensive digest of these splendid talks which were delivered to the Association throughout the last year. Every paper read, however, was both interesting and instructive and plainly showed that the speaker had sacrificed many hours in preparation.

The committee on behalf of the entire Association wishes to thank all who participated in the programs and helped to make the Bar Association year the great success that it was.

As chairman of the committee, I cannot speak too highly of the work done and the assistance given me by the other members of the committee. The committee held many meetings at the call of the chairman and its members were always ready and willing to respond. At these meetings each member would expound his ideas and give suggestions, and if the committee has deserved any credit, the credit is due to each and every member thereof.

To our successors we recommend that the nature of the programs which the committee has put on throughout the year be continued, as the committee has found by experience that the busy lawyer who makes up the biggest bulk of the Association is far more interested in some practical subject which may be of assistance to him in his customary work than in some abstract subject which though instructive does not affect the everyday life of the practicing attorney.

In conclusion, we wish to express our sincere appreciation for the active assistance that we have received from Mr. Eugene Overton as president, and Mr. Robert H. F. Variel, Jr., as secretary, of

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the Association. We also wish to thank Mr. Charles Nichols, publisher of the Bulletin, and his able assistant, Mr. R. H. Purdue, for the help which they gave to the committee through the columns of the Bulletin in making the meetings popular.

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our sis-Ar. Ar. of It is to Kemper Campbell, the president elect, who was ex-officio a member of the committee, that the committee as a whole is most deeply indebted. With his usual tireless energy and fine constructive vision, he was always on the job at every committee meeting and the center of all its activities. Certainly he has deserved all the honors that his fellow lawyers have conferred upon him.

The members at large have been most loyal in attending the meetings and in their encouragement of the work being done by the committee. We are deeply grateful to all our fellow members of the Association, and trust that our successors will meet with the same whole-hearted cooperation that we have been accorded.

Respectfully submitted,

Leo M. Rosecrans, Chairman.

Members of the Committee:

Wm. H. Anderson Thos. C. RidgewayLeon R. Yankwich Everett W. MattoonDated: February 21, 1927.

In Memoriam

Since "1918"

Sturges Q. Adams F. C. Austin H. M. Barstow H. C. Beach N. W. Bell H. B. Birchby Frank W. Blair George A. Boden Walter Bordwell E. C. Bower Paul Burks Altes H. Campbell Alton M. Cates Wm. A. Cheney Charles Coan Lorin O. Crenshaw James H. Daly Ernest Harper Daniels John P. Dunn W. E. Dunn Lucien Earle Edwin L. Foster E. W. Freeman Wm. P. Freeman George W. Fuller Elmer E. Gardner Thomas E. Gibbon James A. Gibson W. N. Goodwin Albert K. Hancock Rusk Harris Henry T. Hazard Lynn Helm James Wesley Hendrick Bertram R. Herrington George M. Holton James M. Hull B. G. Hurlburt Grant Jackson William L. Jarrott Thomas C. Job John T. Jones Johnstone Jones L. W. Jutten Robert W. Kemp J. A. Kennicott Ernest L. Kolb Wm. P. Lawlor Bradner W. Lee Thos. J. Lennon

Angus R. Lindley Warren E. Lloyd Max Loewenthal Will H. Marshall George M. Martin Chas. H. Maxwell John Watson McAlpine Thos. E. McClelland Elmer R. McDowell Walter F. McIntire T. W. McKinley Herbert L. McNair E. E. Mellette lames W. Miller John W. Mitchell W. Egbert Mitchell William H. Morris C. White Mortimer Leon F. Moss S. P. Mulford Ernest E. Nichols John C. North James G. Owen Benj. E. Page Samuel H. Pardue C. W. Pendleton, Jr. Wm. H. Plummer Charles A. Post Frank C. Prescott, Jr. John L. Richardson James C. Rives Robert P. Rivera James H. Shankland Charles Silent Earle H. Smith W. P. L. Stafford George T. Sweet A. W. Thompson Thos. O. Toland Oscar A. Trippet H. H. Trobridge Frank J. Turk Vincent B. Vaughan Samuel E. Vermilyea William K. Weaver Olin Wellborn Henry Weatherhorn J. R. Whittemore Thos. Lee Woolwine Arthur Wright

Deceased Members

Adams, Sturges Q. Alexander, H. B. Anderson, David O. Anderson, J. A. Austin, F. C. Bailey, Edward C. Barry, Edmund D. Barstow, H. M. Batcheller, W. C. Baxter, Edwin Beach, H. C. Beach, Wesley H. Bell, N. W. Bethune, J. D. Bicknell, John D. Birchby, H. B. Blair, Frank W. Blake, George D. Bordwell, Walter Boden, George A. Bowen, C. C. Bower, E. C. Braden, Frederick B. Brousseau, J. Brunson, Anson Bundy, Nathan P. Burdett, James Burks, Paul Brunell, Frank W. Campbell, Alexander Campbell, Altes H. Canne, H. D. Carhart, Robert Carr, H. C. Carran, Thos. J. Carter, O. B. Cataes, Alton M. Chapman, J. S. Chapman, R. H. Cheney, Wm. A. Clark, W. H. Coan, Charles Cobb, Amasa Cox, E. St. Julian Cox, W. E. Crenshaw, Lorin O. Crouch, H. H. Daly, James H. Damron, J. M.

Daniels, Ernest Harper Davis, William J. Diehl, B. W. Dillon, Henry C. Dooner, P. W. Dougherty, James S. Dunn, John P. Dunn, W. E. Dunnigan, Richard Dunning, E. T. Earle, Lucien Fette, Fred Finlayson, James R. Fitzgerald, W. F. Foster, Edwin L. Freeman, E. W. Freeman, Wm. P Fuller, George W. Gardner, Elmer E. Garrett, Frank Gates. Lee C. Gibbon, Thomas E. Gibson, James A. Glassell, Andrew Goodwin, W. N. Gottschalk, Louis Hancock, Albert K. Hardie, Robert Harris, Lamar A. Harris, Rusk Harris, Will A. Harrison, M. B. Hatch, D. P. Haynes, John Hazard, Henry T. Helm, Lynn Hendrick, James Wesley Herrington, Bertram R. Holterhoff, Charles R. Holton, George M. Horton, G. Ray Houghton, S. O. Howard, F. H. Hull, James M. Hunter, Jay E. Hurlburt, B. G. Jackson, Grant Jarrott, William L. Job. Thos. C.

Jones, John T. Jones, Johnstone Judson, Albert H. Jutten, L. W. Kelly, W. R. Kemp, Robert W. Kennicott, J. A. Klamroth, Henry H. Kolb, Ernest L. Lawlor, Wm. P. Lee, Bradner W. Lee, H. T. Lennon, Thos. J. Lindley, Angus R. Lloyd, Warren E. Lowenthal, Max Marshall, Will H. Martin, George M. Maxwell, Chas. H. McAlpine, John Watson McClelland, Thos. E. McClure, Samuel V. McCutcheon, A. B. McDowell, Elmer R. McEntire, Walter F. McKinley, J. W. McNair, Herbert I. McNutt, C. F. Mellette, E. E. Metcalf, A. R. Millard, Spencer G. Miller, Clarence A. Miller, James W. Minor, Samuel Mitchell, John W. Mitchell, W. Egbert Morris, William H. Mortimer, C. White Moss, Leon F. Mulford, S. P. Munson, Gilbert D. Nichols, Ernest E. North, John C. Oliver, Byron L. O'Melveny, H. K. S. Owen, James G. Page, Benj. E. Pardue, Samuel H. Pendleton, C. W., Jr. Plummer, Wm. H. Pope, John D. Post, Charles A. Potter, John R.

Powers, E. E. Pratt, Frank F. Prescott, Frank C., Jr. Rech, J. N. O. Richardson, John L. Rivera, Robert P. Rives, James C. Roberts, John Rose, Walter Malins Sanders, S. S. Selph, E. E. Shankland, James H. Silent, Charles Smith, B. N. Smith, Earle H. Smith, Elroy Smith, George H. Smith, Henry M. Stafford, W. P. L. Stephens, William D. Sterry, C. N. Sweet, George T. Taggart, James W. Thompson, A. W. Toland, Thos. O. Trask, D. K. Trask, Walter J. Trippet, Oscar A. Trobridge, H. H. Turk, Frank J. Utley, Andrew J. Van Dyke, Walter Variel, R. H. F. Vaughn, Frank C. Vaughan, Vincent B. Vermilyea, Samuel E. Wade, Wm. P. Weaver, William K. Wellborn, Olin Wells, G. Wiley Wetherhorn, Henry White, Stephen M. Whittemore, J. R. Widaman, O. P. Willett, C. J. Wilson, Percy R. Wilson, R. N. C. Winder, Thomas L. Wood, Walpole Woolwine, Thomas Lee Wright, Arthur Wright, C. C. Wright, W. S.

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Historical Data

ORGANIZATION MEETING, MAY 28, 1888

OFFICERS

Chairman	*******	Albert	M.	Ste	phens
Secretary		*********	Luc	ien	Shaw

1888

President	Albert M.	Stephens
Senior Vice-President		
Junior Vice-President .	Anson	Brunson
Treasurer	Robt.	N. Bulla
Recording Secretary	. J. A. Ande	erson, Jr.
Corresponding Secretar	ryJ. W. S	wanwick

TRUSTEES

Walter Van Dyke	Jno. S.	Chapman
H. T. Lee	Stephen	M. White
Geo H Smith	-	

1889

President	Albert M. Stephens
Senior Vice-President	John D. Bicknell
Junior Vice-President	Anson Brunson
Treasurer	Robt. N. Bulla
Recording Secretary	J. A. Anderson, Jr.
Corresponding Secreta	

TRUSTEES

John Haynes	H.	T.	Lee
Jas. A. Anderson, Jr.	F.	H.	Howard
Stephen M. White			

	1020
	President John D. Bicknell
	Senior Vice-President Anson Brunson
	Junior Vice-PresidentJas. R. Finlayson
	Treasurer Robt. N. Bulla
	Recording Secretary J. W. Swanwick
1	Corresponding Secretary I. A. Anderson

TRUSTEES

S. M. White	John Haynes
Geo. H. Smith	Albert M. Stephens
W. F. Fitzgerald	

1891

President	F. H. Howard
Senior Vice-Pres	identThomas L. Winder
Junior Vice-Pres	sidentW. D. Stephens
Treasurer	Robt. N. Bulla
Recording Secre	taryJ. W. Swanwick
Corresponding S	ec'yFrank G. Finlayson

TRUSTEES

M. T. Allen	Jonathan R. Scott
R. H. F. Variel	John Haynes
Geo. J. Denis	

Between the years 1891 and 1899 no election of officers was held. A reorganization meeting was called to meet June 7, PERMANENT OFFICERS ELECTED JUNE 5, 1899, at which time the following gentlemen were officers:

1899

Senior	Vice-Pre	esident	*******	T. I	. V	Vinder
Junior 7	Vice-Pre	sident	I	R. H.	F.	Variel
Treasur	er			Robt.	N.	Bulla
Secretar	у		J.	W.	Swa	nwick
Corresp	onding S	Secreta	ry	Chas.	We	ellborn

TRUSTEES

J. H. Shankland	B. W. Lee
M. L. Graff	W. J. Hunsaker
John D. Works	

1900

President				
Senior Vice-PresidentV	Vm.	J.	Hu	nsaker
Junior Vice-PresidentJ.	A.	An	ders	on, Jr.
Treasurer	R	obt.	N.	Bulla
Recording Secretary				
Corresponding Secretary	C	has.	W	ellborn

TRUSTEES

J. H. Shankland	M. L.	Graff
Bradner W. Lee	Lucien	Shaw
John D. Works		

President Lucien Shaw Senior Vice-President.......John D. Works

1901

Corresponding Secretary......Chas. Wellborn TRUSTEES

2 44 0	DALLE
James A. Gibson Bradner W. Lee C. C. Wright	M. L. Graff J. H. Shankland

Lucien	Shaw
hn D.	Works
J. Hu	nsaker
W. Ro	binson
W. R. I	Hervey
has. We	ellborn
	Lucien In D. J. Hu W. Ro W. R. H has. We

TRUSTEES

N. P. Conrey
H. W. O'Melveny
Albert M. Stephens
E. C. Bailev

L. H. Valentine
G. C. DeGarmo
W. R. Hervey
E. W. Freeman

1903

TRUSTEES

Russ Avery J. H. Call Curtis D. Wilbur W. H. Anderson

1904

TRUSTEES

Curtis D. Wilbur Oscar C. Mueller J. H. Shankland Russ Avery J. Wiseman Macdonald

1905

TRUSTEES

Jesse F. Waterman Russ Avery
J. H. Shankland E. W. Freeman
J. Wiseman Macdonald

1906

TRUSTEES

Lynn Helm W. R. Hervey
Jesse F. Waterman Wm. H. Anderson
E. W. Freeman

1907

TRUSTEES

G. C. DeGarmo W. R. Hervey E. W. Freeman William H. Anderson Albert M. Stephens

1908

President J. A. Anderson Senior Vice-President Lynn Helm Junior Vice-President Walter J. Trask Secretary and Treasurer T. W. Robinson

TRUSTEES

G. C. DeGarmo
G. A. Gibbs
Emmet H. Wilson
Oscar C. Mueller
Lucius K. Chase

1909

President Lynn Helm Senior Vice-President Walter J. Trask Junior Vice-President Oscar A. Trippet Secretary and Treasurer....T. W. Robinson

TRUSTEES

G. C. DeGarmo
W. S. Wright
E. E. Millikin

Oscar C. Mueller
Ward Chapman

1910

TRUSTEES

J. P. Chandler
E. E. Millikin
Waldo M. York
Richard J. Dillon
W. S. Wright

1911

TRUSTEES

James G. Scarborough John C. North E. E. Millikin R. J. Dillon J. P. Chandler

1912

President E. W. Britt Senior Vice-President Henry J. Stevens Junior Vice-President J. P. Chandler Secretary Andrew J. Copp, Jr. Treasurer T. W. Robinson

TRUSTEES

James G. Scarborough Harry L. Dunnigan John C. North Sheldon Borden Ward Chapman Pre Sen Jun Sec Tre

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W. J. H G.

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1913	1918
President	Honorary President J. W. McKinley President Edgar W. Camp Senior Vice-PresHenry W. O'Melveny Junior Vice-PresEdwin A. Meserve Secretary R. H. F. Variel, Jr. Treasurer T. W. Robinson
TRUSTEES	Trustees
Sheldon Borden Ward Chapman Harry L. Dunnigan E. S. Williams A. I. McCormick	I. B. Dockweiler Joseph P. Loeb Frank James Oscar Lawler William A. Bowen
President J. P. Chandler	1919
Senior Vice-PresidentRichard J. Dillon Junior Vice-President Sheldon Borden Secretary Andrew J. Copp, Jr. Treasurer T. W. Robinson	President
TRUSTEES	Trustees
W. J. Variel G. A. Gibbs E. S. Williams TRUSTEES Theo. Martin A. I. McCormick 1915 President Pickerd I. Dillon	I. B. Dockweiler William A. Bowen Oscar Lawler Thos. C. Ridgway R. W. Kemp
President	President
Trustees	Trustees
W. J. Variel Theo. Martin J. P. Loeb G. C. DeGarmo G. A. Gibbs	Thos. C. Ridgway R. W. Kemp Joseph P. Loeb Alfred Wright Max Loewenthal
1916	1921
President Sheldon Borden Senior Vice-President Oscar C. Mueller Junior Vice-President J. W. McKinley Secretary R. H. F. Variel, Jr. Treasurer T. W. Robinson	President Frank James Senior Vice-President Oscar Lawler Junior Vice-President Robert M. Clarke Treasurer T. W. Robinson Secretary R. H. F. Variel, Jr.
Trustees	Trustees
J. P. Loeb G. C. DeGarmo E. A. Meserve I. B. Dockweiler E. W. Camp	Joseph P. Loeb Thos. C. Ridgway Alfred Wright Eugene Ovtrton Max Loewenthal
1917	President
Trustees	Trustees
I. B. Dockweiler Joseph P. Loeb Oscar Lawler Frank James E. A. Meserve	Thos C. Ridgway Eugene Ovtron M. B. Silberberg Restrict Percy V. Hamon Kemper Campbell

1923

President Oscar Lawler
Senior Vice-President John G. Mott
Treasurer T. W. Robinson
Secretary R. H. F. Variel, Jr.

TRUSTEES

Eugene Overton
Percy V. Hammon
Kemper Campbell

M. B. Silberberg
Wm. Hazlett

1924

TRUSTEES

Harry A. Hollzer
Chas. E. Millikan
Hubert T. Morrow
G. R. Crump

Nathan Newby
Leonard B. Slosson
Kemper Campbell

1925

TRUSTEES

Nathan Newby Leonard B. Slosson G. R. Crump

Kenyon F. Lee Julius V. Petrosso Hubert T. Morrow

1926

President Eugene Overton Senior Vice-President....Kemper Campbell Junior Vice-President....Hubert T. Morrow Treasurer T. W. Robinson Secretary R. H. F. Variel, Jr.

TRUSTEES

Leonard B. Slosson Julius V. Patrosso Kenyon F. Lee
John W. Hart G. R. Crump Norman A. Bailie

1927

TRUSTEES

G. R. Crump
Norman A. Bailie
Lawrence L. Larrabee
R. P. Jennings

Members at Date of Organization 1888

Albert M. Stephens

J. A. Anderson, Jr.

*W. F. Fitzgerald

Lucien Shaw

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inson

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Geo. S. Patton

*George H. Smith

*F. H. Howard

*Samuel Minor

*Wm. D. Stephens

C. W. Pendleton

*Richard Dunnigan

*M. B. Harrison

Frank G. Finlayson

*James R. Finlayson

R. F. Del Valle

*Ino. Haynes

*J. A. Anderson

*R. H. F. Variel

*G. Wiley Wells

*A. Brunson

*Walter Van Dyke

*Max Lowenthal

*S. P. Mulford

*S. M. White

*I. R. Scott

J. A. Graves

H. W. O'Melveny

* James H. Shankland

*J. Brousseau

*J. S. Chapman

*J. W. Hendrick

*Bradner W. Lee

*Wm. P. Wade

W. M. Van Dyke

*J. D. Bethune

N. P. Conrey

*W. H. Clark

J. W. Swanwick

*Alex Campbell

*Percy R. Wilson

*Move Wicks

Shirley C. Ward

H. A. Barclay

Robt. N. Bulla

*John D. Bicknell

George J. Denis

Chas. L. Batcheller

*Edwin Baxter

*H. T. Lee

*J. M. Damron

^{*}Deceased.

Constitution and By-Laws of the Los Angeles Bar Association

(Constitution adopted March 15, 1923)

(By-Laws adopted May 24, 1923)

ARTICLE I.

Name of Association.

This Association shall be called the "Los Angeles Bar Association."

ARTICLE II.

Objects.

Section 1. This Association is established to advance the science of jurisprudence; to promote the administration of justice; to encourage a thorough legal education; to maintain the honor and dignity of the profession of the law and to cultivate social intercourse among its members.

Section 2. It shall not take any part in partisan politics nor recommend any person for any political office other than a judicial office.

ARTICLE III.

Members.

Section 1. Active Members. Every attorney and counselor admitted to practice law before the Supreme Court of the State of California, of good standing, may become a member of the Association or of the Board of Trustees on recommendation of the Committee on Membership and on paying the dues for the current year, including any original admission fee.

Section 2. Honorary Members. The Judges of the Courts of the United States for the Southern District of California, the Justices of the Supreme Court of the State of California, the Justices of the District Court of Appeal in and for the Second District of California, and the judges of the Superior Court of the County of Los Angeles, during the time they shall respectively hold said offices, and such persons distinguished for public service or eminence in the law as may

be elected by a vote of the Association, shall be honorary members of this Association without the payment of dues and with all the privileges except that of voting.

ARTICLE IV.

Admission Fees and Dues.

The admission fee and the annual dues shall be fixed by the Trustees in their discretion, payable at such times as they may determine. Until and unless so fixed by the Trustees there shall be no admission fees, and annual dues shall be ten (\$10.00) dollars per calendar year payable in advance.

Any member failing to pay his dues within one year after the date when the same became due, may be suspended by the Trustees after due notice and shall only be reinstated upon payment of all dues or remission thereof by the Board of Trustees.

ARTICLE V.

Officers.

Section 1. The officers of the Association shall consist of a President, a Senior Vice-President, a Junior Vice-President, a Secretary, a Treasurer and six (6) Trustees who, with the President, the Vice-Presidents, the Secretary and Treasurer, shall constitute the Board of Trustees of the Association. No Trustee shall be elected for a third consecutive term.

Section 2. The officers and trustees in office at the time of the adoption of this constitution shall continue in office until the annual election to be held in February, 1924.

ARTICLE VI.

Elections.

Section 1. The Association shall hold its regular annual election on the third Thursday of February of each year for the protess.

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Sect five (a can mediat the purpose of electing officers and trustees. Such election shall be by ballot and the ballot may be deposited with the Secretary by mail or otherwise, at any time after the official ballot has been sent out, and up to two-thirty o'clock p. m. of the day of election.

Section 2. At the stated meeting in December a nominating committee to consist of seven (7) members of the Association shall be elected to nominate officers to be balloted for at the succeeding annual election.

Said nominating committee shall nominate one person for each of the following offices: President, Senior Vice-President, Junior Vice-President, Secretary and Treasurer, and shall nominate for trustees the number of trustees to be elected. Said committee shall make a report of its action to the Secretary at least forty-five (45) days prior to the annual election, and the Secretary shall post the same on the bulletin board of the Los Angeles County Law Library at least forty (40) days prior to said election.

In addition to the nominations made by the nominating committee, any twenty (20) or more members in good standing may, by petition in writing presented to the Secretary at least thirty (30) days prior to the annual election, nominate candidates for any office.

At least twenty (20) days prior to the annual election a ticket containing the names of all nominees, and space for writing in additional names, shall be mailed to each member of the Association. The form of ticket and the method of voting shall be fixed by the Board of Trustees.

At the annual election to be held in the year 1924 six (6) trustees shall be elected, of which number three (3) shall serve one year and three (3) for two years. At the first meeting of the Board of Trustees elected in 1924 and after organization, the several trustees shall determine by lot the three who shall serve for the one-year term. At all subsequent elections three trustees shall be elected by plurality vote.

Section 3. The President shall appoint five (5) members of the Association as a canvassing committee, who shall immediately upon the close of the ballot

canvass and count the votes and report the result back to the President in writing. A plurality of votes shall elect. The result of the election shall be posted by the Secretary on the bulletin board of the Los Angeles County Law Library, and shall be announced by the President at the next ensuing meeting of the Association.

Section 4. In case two or more candidates for any office shall have received an equal number of votes and all cannot be elected, a ballot shall be taken at the first stated or annual meeting of the Association thereafter as between such candidates having an equal number of votes only, and the candidate or candidates receiving the higher number of votes at such meeting shall be declared duly elected.

ARTICLE VII.

Meetings.

The annual meetings of the Association shall be held on the third Thursday of February at eight o'clock p. m., and a stated meeting on the third Thursday of each of the months of March, April, May, June, September, October, November, December and January in each year. At the annual meeting and the stated meetings all powers of the Association may be exercised. All annual meetings shall be held at a place in the City of Los Angeles to be designated by the President, and all stated meetings shall be held at a place in the City of or County of Los Angeles to be designated by the President. Any annual or stated meeting may be fixed for another date in the same month by action of the President or Board of Trustees for good cause, and any stated meeting except the stated meeting in December, may be disspensed with by the President for good cause; but two consecutive meetings shall not be dispensed with except upon prior order of the Association.

Notice of all annual and stated meetings shall be given by the Secretary in writing addressed and mailed to each of the members of this Association at least five (5) days prior to said meeting.

Special meetings may be called at any time by the Association by resolution adopted at any annual or stated meeting, or by the President or Board of Trustees.

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hold third for No business shall be transacted at any special meeting except that specified in the call therefor, a copy of which shall be mailed to each member, together with notice of the meeting, by the Secretary at least five (5) days prior to said meeting. The presence of forty (40) members shall be necessary to constitute a quorum at any meeting of the Association, but a smaller number may adjourn such meeting to any subsequent time.

ARTICLE VIII.

Board of Trustees.

The Board of Trustees shall manage the affairs of the Association subject to and in accordance with the constitution and by-laws. All appropriations of the funds of the Association must be made by the Board of Trustees unless ordered by the Association by a two-thirds vote.

They shall have power to provide for and maintain rooms for the use of the Association; to provide for and employ such assistant secretaries or other employees as may in their discretion seem proper, or may be provided for by action of the Association; fix the compensation of such officers and employees; institute and maintain on behalf of the Association all necessary actions, proceedings prosecutions directed by the Association or which in the discretion of the Board of Trustees may be necessary or proper to carry out the will or objects of the Association; and perform such other duties as may be prescribed by the by-laws or resolutions of the Association. The Board of Trustees shall meet at least once in each month, and shall keep a record of its proceedings. The Board of Trustees shall report its proceedings at the annual meeting of the Association; and at every stated meeting and annual meeting of the Association it shall report any business which in its judgment shall require the action of the Association.

ARTICLE IX.

Duties of Officers.

The officers shall perform such duties as are provided by the by-laws.

ARTICLE X.

Committee on Membership.

No person shall be admitted to mem-

bership of the Association unless he shall have been recommended by the Committee on Membership in such manner as shall be provided by the by-laws.

ARTICLE XI.

Other Committees.

The Association may provide in its bylaws for such standing and special committees as it may deem necessary.

ARTICLE XII.

Suspensions or Expulsions.

Any member of the Association may be suspended or expelled by the Trustees, upon the recommendation of the Committee on Grievances, approved by the Board of Trustees, for any violation of the Code of Ethics of this Association, after notice and an opportunity on the part of the member to be heard before the Committee on Grievances. To this end, written notice shall be given to the member of the proposed hearing before the Grievance Committee and also of the submission of the report of the Grievance Committee to the Trustees and of the time and place of the meeting of the Trustees at which said recommendation is to be considered. Expulsion or suspension, as herein provided for, shall require the affirmative vote of not less than six members of the Board of Trustees; provided, however, that the disbarment or suspension from practice of any member of the Association shall ipso facto terminate his membership in this Association.

ARTICLE XIII.

Recommendations of Candidates and Measures.

The Association may from time to time make recommendation of candidates for judicial positions, and may from time to time recommend to the public legislation bearing upon the objects of this Association as set forth in Article II of this Constitution.

ARTICLE XIV.

Code of Ethics.

The Code of Ethics of the American Bar Association, and all amendments hereafter adopted thereto, shall be the Code of Ethics of this Association. by press of t prop (10) at a and by

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Amendments.

This constitution may be amended only by a two-thirds vote of the members present at any annual or stated meeting of the Association, provided notice of the proposed amendment subscribed by ten (10) members in good standing, be given at a previous stated or annual meeting, and that a copy of the same be also mailed by the Secretary with the notice of the meeting.

BY-LAWS.

I.

PRESIDING OFFICERS.

At all meetings of the Association, the President, or in his absence one of the Vice-Presidents, or in the absence of all of them any member to be selected without ballot, shall preside; provided, however, that at any weekly luncheon meetings or other informal meetings at which no action binding upon the Association is to be taken, any committee having in charge such meeting may select a Chairman of such meeting.

II.

ORDER OF BUSINESS.

At each annual meeting of the Association the order of business shall be as follows:

- 1. Reading of minutes of previous meeting.
 - 2. Report of Secretary.
 - 3. Report of Treasurer.
 - 4. Report of Board of Trustees.
 - 5. Report of standing committees.6. Report of special committees.
 - 7. Special orders.
 - 3. New and miscellaneous business.
- Announcement of election of officers.
 Presentation of memorials, resolutions and addresses.
 - 11. Installation of newly elected officers.

This order of business may be changed by a vote of the majority of the members present.

The usual parlimentary rules of order shall govern all meetings of the Association except in cases otherwise provided for by the constitution or by-laws or by rules of order or resolutions adopted by the Association.

III.

DUTIES OF PRESIDENT.

It shall be the duty of the President to preside at all meetings of the Association; to appoint the standing committees provided for in the by-laws and such special committees and delegates as may from time to time seem to him best, or which may be provided for by action of the Board of Trustees or the Association. He shall have such other powers and perform such other duties not inconsistent with the constitution and by-laws of the Association as are usually possessed or exercised by presiding officers. He shall be exofficio Chairman of the Board of Trustees.

IV.

DUTIES OF VICE-PRESIDENTS.

It shall be the duty of the Senior Vice-President and in his absence of the Junior Vice-President, to perform the duties of the President of the Association during his absence or inability to act.

V

DUTIES OF SECRETARY.

It shall be the duty of the Secretary to keep a record of the proceedings of all meetings of the Association, of the Board of Trustees, of the meetings of the standing committees, and of all other matters of which a record shall be ordered by the He shall notify the officers Association. and all members of committees of their election or appointment and shall issue notices of all meetings; keep a record of the name and office address of all members showing the date when they became members and the cause, and date of the termination of the membership of such persons as shall cease to be members. He shall be ex-officio Secretary of the Board of Trustees and of all other committees of the Association; provided, however, that the President may designate a special secretary for any committee, or in the absence of such appointment the committee itself by majority vote, may select a secretary of such committee. Upon the appointment of such committee secretary, the Secretary of the Association shall be relieved of his duties as secretary of such committee.

VI.

DUTIES OF THE TREASURER.

The Treasurer shall collect and take charge of, and under the direction of the Board of Trustees, shall disburse all funds of the Association; he shall keep regular accounts in books belonging to the Association, which shall be open to the inspection of any member of the Board of Trustees.

At the annual meeting he shall make a full report of the receipts and disbursements of the past year, suitably classified, and of all outstanding obligations of the Association with an estimate of the resources and probable expenses of the coming year; and he may make any suggestions pertinent thereto that he may deem proper.

His accounts shall be audited prior to each annual meeting by a committee of three (3) members of the Association to be appointed by the President.

VII.

COMMITTEE ON MEMBERSHIP.

Section 1. The Committee on Membership shall consist of five members to be appointed by the President. This committee shall pass upon all applications for membership in the Association and make monthly recommendations and reports to the Board of Trustees.

Section 2. Any person hereafter desiring to become a member of the Association shall file with the Secretary of the Association a written application in such form as may be designated by the Board of Trustees. Upon election to membership and payment of dues, each member shall receive a certificate of membership in the Association. A similar certificate shall be issued to each member of the Association annually upon payment of dues. The form of such certificate shall be fixed by the Board of Trustees. All proceedings of the Committee on Membership shall be secret and confidential.

VIII.

OTHER STANDING COMMITTEES.

There shall be other standing committees as follows:

1. A Committee on Grievances which shall consist of nine (9) members. It shall be charged with the hearing of all complaints against members of the Association and against attorneys practicing in the County of Los Angeles, or persons pretending to be attorneys or counselors at law practicing in the County of Los Angeles, and all complaints which may be made in matters affecting the interests of the legal profession of the law and ad-ministration of justice. The person com-plained of shall in all cases have reasonable notice of the complaint against him, and a reasonable opportunity to be heard. The result of each investigation, with the recommendations of the committee, shall be reported to the Board of Trustees. The Board of Trustees shall have power to review and approve, disapprove or modify the same, to conduct or direct further hearings by the committee; to order the dismissal of the complaint; to order the institution of proceedings for disbarment or suspension, and in such case to appoint one or more attorneys to act for the Association and to incur the necessary expenses of such proceedings; and the Board of Trustees shall have power generally to take such further or other action with respect to the report or findings of the Committee on Grievances as it may deem proper.

This committee may provide for its division into sections for the purpose of hearing and acting upon complaints, and may make its own rules of procedure where not otherwise herein provided for; provided, however, that no recommendations shall be made to the Board of Trustees unless approved by at least five (5) members of the committee.

2. A Committee on Legal Ethics which shall consist of five (5) members. It shall be the duty of this committee to take original action or to co-operate with the American Bar Association and other associations of lawyers in the United States in all matters tending to the elevation of the standard of professional honor and conduct, and it shall also be the duty of this committee to examine into and

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cond by to of pappo investigate any practice and method of procuring or transacting business by lawyers which may be regarded as prejudicial to the welfare of the profession or of the community, and to report to the Board of Trustees which shall take such action thereon as it may deem proper.

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This committee shall be empowered to prepare and cause to be prepared articles or treatises upon subjects relating to professional ethics and with the approval of the Board of Trustees to publish the same. This committee shall be empowered when requested to answer inquiries respecting questions of proper professional conduct. Such questions and answers may be published by the committee from time to time in the newspapers, or otherwise, omitting all names or means of identification of the persons inquiring or other persons referred to. The committee shall from time to time make a report of its proceedings to the Board of Trustees.

3. A Committee on the Judiciary which shall consist of nine (9) members.

Subdivision A. This committee shall be charged with the duty of observing the practical workings of the courts of record, both criminal and civil, and of making such recommendations to the Association with respect thereto as it may deem advisable.

It shall be the duty of this committee to consider and investigate any complaint which may be laid before it of such conduct upon the part of any judicial officer as would justify the impeachment of such officer, and if in the opinion of the committee the complaint is well founded it shall report the same to the Board of Trustees for action, and the Board of Trustees shall thereupon be authorized to take such action as in its judgment is proper.

The committee shall also have power to consider complaints made against clerks or other ministerial officers and attendants connected with the courts, and if it finds such complaints well founded to bring the matter before the Board of Trustees for action.

Subdivision B. This committee shall conduct such plebiscite as may be ordered by the Board of Trustees for the purpose of passing upon candidates for election or appointment to judicial or other public office, of determining their qualifications,

of endorsing certain of those qualified and of opposing those not qualified, which plebiscite shall be conducted in accordance with such rules and regulations as may be adopted by the Board of Trustees, provided however that the Association or the Board of Trustees may delegate to a special committee to be appointed by the President the conduct of any such plebiscite. The committee in charge of any plebiscite shall be charged with the following duties:

It shall gather biographical information concerning all candidates for election or appointment to the Superior Court of Los Angeles County, the Municipal Court of the City of Los Angeles, the District Courts of Appeal of the Second Appellate District, the Supreme Court, the United States District Court for the Southern District of California, and such other courts or public offices as the Board of Trustees may from time to time de-termine upon. From the material so gathered the committee shall print for the information of the members of the Association, data as to each candidate, giving his age, period of practice in California, extent and nature of his education and practice, and such other facts as may be of value in determining his qualifications for the particular office sought by such candidate. It may endeavor to induce fit persons to become candidates.

To prepare and mail to each member of the Association, such data, together with a ballot containing the names of all candidates and aspirants for election or appointment. Said ballot shall be so arranged that the person voting, shall be required to indicate as to each candidate, whether such candidate in his opinion is either "Qualified" or 'Not Qualified" for the office sought, or that he has "No Opinion" relative to the qualifications of such candidate. In case of an approaching primary election, the ballot shall be mailed as soon as practicable following the expiration of the time for filing nomination petitions and in other cases, the same shall be mailed at such time as the Board of Trustees may determine.

(c) Said opinions expressed upon each of said ballots shall be canvassed and tabulated by said committee, and with the information so obtained, the following conclusions shall be reached:

XI

If it appears, by the vote of a majority of those who have expressed an opinion upon the qualifications of a candidate, that he is not qualified for the office sought, such determination shall be accepted as the judgment of the Association as to his qualifications.

If it appears, by the vote of at least seventy-five per cent of those who have expressed an opinion upon the qualifications of a candidate, that he is qualified for the office sought, such candidate shall be eligible for endorsement by the Association in the manner hereinafter specified, provided, however, unless at least fifty per cent of all valid ballots cast in said plebiscite express an opinion upon the qualifications of a candidate, such candidate shall be eliminated from further consideration, except that in the event the number of candidates, so eligible, is less than the number of offices to be filled, the percentage last hereinabove mentioned shall be lowered one per cent at a time (but never below forty per cent), to such an extent as may be necessary to place at the bottom of the list of candidates already found to be eligible, a sufficient number of names so that the Association may, if possible, endorse a candidate for each office to be filled, provided further, however, that if by the last above mentioned method the number of candidates, so eligible, continues to be less than the offices to be filled, the first percentage hereinabove mentioned, to-wit, seventy-five per cent, shall be lowered one per cent at a time (but never below sixty-five per cent), and as so reduced shall be applied to the vote upon each candidate as to whom at least forty per cent of all valid ballots cast have expressed an opinion upon his qualifications, such reduction to be made to such an extent (but never below said sixty-five per cent) as may be necessary to place at the bottom of the list of candidates previously found to be eligible, a sufficient number of names so that the Association may if possible endorse a candidate for each office to be filled.

(d) Candidates shall be endorsed by the Association as follows:

Said committee shall determine the percentage that the favorable votes received by each eligible candidate bears to the total votes expressing an opinion upon his qualifications, and shall make a list of such eligible candidates placing thereon their names in the order shown by such percentage, the one receiving the highest percentage to head said list.

The Association shall endorse, in the order shown upon said list, a candidate for each office to be filled by election or appointment. In case of a tie in the percentage of two candidates upon said list, the one polling the greater number of ballots expressing an opinion upon his qualifications, shall be given the higher place in said list of eligible candidates.

The committee shall make public the result of said balloting upon all endorsed candidates and those who poll more than 50% of all valid ballots cast, showing as to each candidate, the number of ballots which expressed an opinion upon his qualifications, with the vote thereon as shown by such ballots and the percentage attained by him, and also the number of ballots which expressed no opinion upon his qualifications, and shall also make public the result of said balloting as to each candidate determined by said plebiscite to be not qualified.

(e) The Association through its Board of Trustees shall conduct a campaign in favor of the candidates endorsed by the Association and in opposition to the candidates found by such balloting to be not qualified.

After the primary election is held, the candidates successful therein, who were previously endorsed by the Association, shall be again endorsed and those previously determined to be unqualified shall be again opposed at the approaching general election. If the number so endorsed is less than the number of offices to be filled, the names of the remaining successful candidates shall be listed and the vote taken in the above plebiscite upon such candidates shall be retabulated and such of said candidates as have not been determined to be unqualified, shall go upon the eligible list if entitled thereto by the application of the provisions of Paragraph (c) of this by-law to the vote cast upon said candidates. The Association shall select enough additional names from such eligible list, so that it may enderse, if possible, at the general election a candidate for each office to be filled.

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Board of Trustees may, if it deems it advisable, order a second plebiscite upon the candidates, successful at said primary election.

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- A Committee on Courts of Inferior Jurisdiction which shall consist of nine 9) members. This committee shall be charged with the duty of observing the Justices' practical workings of the Courts, Small Police Claims Courts and other courts not of record, both civil and criminal, and of making such recommendations to the Board of Trustees with respect thereto as it may deem advisable.
- Committee on Constitutional A Amendments which shall consist of nine (9) members. This committee shall be charged with the duty of watching all pending resolutions in the Legislature of the State of California and in the Congress of the United States, proposing changes in the Constitution of this State or the Federal Constitution, and it shall be charged with the duty of reporting to the Board of Trustees whenever in the judgment of the committee any action thereon shall be required. The committee shall report to the Association the introduction or passage of all resolutions proposing changes in either State or Federal Constitutions at the next ensuing stated meeting of the Association, with the recommendation of the committee as to whether the same shall be approved or disapproved by the Association. The committee shall also be charged with the duty of watching the proceedings of any future Constitutional Convention in this State, and of reporting to the Association as to any amendments proposed in such Convention.
- 6. A Committee on Substantive Law which shall consist of nine (9) members. This committee shall have charge and cognizance of all matters pertaining to the amendment of substantive law, and whenever in its opinion any amendment is desirable it shall formulate a bill or resolution embodying the same and report it with its opinion to the Board of Trustees for such action as the board may deem proper.

It shall also be the duty of this committee on its own motion or in co-operation with individuals, civic bodies or

other associations, to examine bills introduced in Congress or in the Legislature of the State of California and report thereon to the Board of Trustees.

7. A Committee on Pleading and Practice which shall consist of nine (9) members. This committee shall have charge and cognizance of all matters pertaining to the amendment of the law relating to pleading and practice, other than criminal law, and is also chargeable with all matters pertaining to rules of Court. Whenever in its opinion any amendment is desirable it shall formulate a bill or resolution embodying the same and report it with its opinion to the Board of Trustees for such action as the Board may think proper.

It shall also be the duty of this committee, on its own motion, or in co-operation with individuals, civic bodies, or other associations, to examine bills introduced in Congress or in the Legislature of the State of California, and to report thereon to the Board of Trustees.

- 8. A Committee on Criminal Law and Procedure which shall consist of nine (9) members. This committee shall have charge and cognizance of all matters pertaining to the administration or amendment of the criminal law, both statutory and constitutional, substantive and adjective, and shall perform the same duties and have the same powers with reference to the criminal law as those given to and performed by the committee on substantive law and the committee on pleading and practice with reference to the civil law.
- 9. A Committee on Legislation which shall consist of nine (9) members. This committee shall be charged with the duty of presenting to the Legislature of the State of California all bills recommended by the Board of Trustees or by the Association. The Board of Trustees shall make suitable provision for the traveling and other expenses of one or more members of the committee in attending sessions of the Legislature; provided, however, that no such expenses shall be incurred without approval of the Board of Trustees first obtained.
- 10. A Committee on Legal Education which shall consist of nine (9) members.

This committee shall inquire into matters of legal education and the requirements of and qualifications of applicants for admission to the bar, and recommend to the Association or Board of Trustees from time to time such changes or improvements therein as it may deem advisable.

11. A Committee on Law Library, which shall consist of five (5) members. This committee shall perform such duties in connection with the County Law Library as may be delegated to it by the Board of Trustees.

A Committee on Unlawful Practice of the Law, which shall consist of eleven (11) members. It shall be the duty of this committee to take original action or to co-operate with other associations of lawyers in all matters pertaining to the elimination of the unlawful practice of law by individuals or corporations. It shall also be the duty of this committee to examine into and investigate any practice or method of procuring or transacting law work or business by individuals or corporations not lawyers which it may regard as prejudicial to the welfare of the community or of the profession, and to report from time to time to the Board of Trustees, which shall take such action thereon as it may deem proper. This committee shall have power to receive complaints, to take evidence, and upon the approval of the Board of Trustees or the Association to prepare cases for prosecution to the duly authorized prosecuting officers of the state or county; to prepare complaints to the Attorney General of the State for the dissolution or vacating of the charter of any corporation practicing law; and to initiate and propose legislation tending to prohibit practice of the law by corporations or individuals not admitted to the Bar.

The Board of Trustees shall have authority in its discretion to organize a special bureau under the supervision of the Committee on Unlawful Practice of the Law for the investigation into and prosecution of cases of the character herein described; and shall have power to raise special funds for the carrying on of such work.

The Board of Trustees shall have full power and authority to call upon any member of the Association for professional services in connection with any of the aforesaid work.

The committee shall have power to employ counsel with such compensation as the Board of Trustees may provide. Such counsel shall represent the Association in proceedings instituted before the Courts.

This committee shall have specific power to co-operate with and represent this Association in connection with any other association of lawyers of the State of California or of the nation, either permanently or in particular instances.

13. A Committee on Public Defenders List, which shall consist of three (3) members. This committee shall co-operate with the Public Defender of the County of Los Angeles and the Public Defender of the City of Los Angeles when requested by such Public Defender, in the selection of members of the profession to represent persons who may be sent to them by the Public Defender's office.

A Committee on Publicity, which shall consist of nine (9) members. committee shall have the powers and perform the duties usually given to and exercised by Committees on Publicity in similar organizations, and in addition shall perform such other duties as may be required by the President or the Board of Trustees or the Association. It shall also be the duty of this committee, together with the Secretary of the Association, to prepare and publish a year book of the Association containing a list of names and addresses of members, the Constitution and By-Laws, annual reports of committees, and such other information as may be directed by the President or Board of Trustees.

Such a year book must be published and given to the members of the Association in the year 1923, and thereafter at least every third year. The Board of Trustees shall have power to provide for more frequent publication.

IX.

Each of the committees named in By-Law VIII shall be appointed annually by the President of the Association as soon after his election as is practicable, and shall continue in office until the annual meeting next after their appointment and until their successors are appointed. Each to fix i and to ernmen consiste Laws a ciation.

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der th ords o approv employ Each of the committees shall have power to fix its own time and place of meeting, and to adopt resolutions for its own government and course of proceedings not inconsistent with the Constitution and By-Laws and subject to revision by the Association.

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A majority shall be necessary to constitute a quorum of each committee with the exception of the Committee on Legal Biography. Five (5) members shall constitute a quorum for the transaction of business at any meeting of the Committee on Legal Biography.

Any standing committee may provide that three successive absences from the meetings of the committee unexcused, may be deemed a resignation of the member so absent of his place upon the committee.

Unless otherwise ordered by the Association, every matter presented at a meeting of the Association which, by its terms or in the judgment of the presiding officer, shall require reference to a committee, shall be referred by him to the appropriate standing committee, or if there be no such committee to the Board of Trustees. The committee to which such reference is made shall report thereon to the Association at its next stated meeting unless the resolution of the Association or the terms of reference to such committee shall otherwise provide, or unless the time to report be extended by the Association. If within the time so limited no report be made, the committee shall be deemed to have been discharged, or if a standing committee, to have been relieved from further consideration of the subject; and the matter shall again be referred or disposed of in such manner as the Association shall deem proper.

The chairman of any standing committee may recommend to the Board of Trustees the appropriation of funds for the work of such standing committee, and it shall be the duty of the Board of Trustees from time to time to make such appropriations as in its judgment may be proper.

Every standing committee shall keep under the supervision of its chairman, records of all its proceedings, and with the approval of the Board of Trustees it may employ a stenographic secretary. At the annual meeting each standing committee shall report in writing a summary of its proceedings since its last report, together with any suggestions deemed suitable and appertaining to its powers, duties or business.

The President may divide the committees into sections under the general supervision of a member of the Board of Trustees, and shall fill all vacancies therein.

X.

COMMITTEE ON GRIEVANCES, PROCEDURE, ETC.

Every complaint filed with the Committee on Grievances shall be in writing, subscribed by the complaining party, and shall state plainly the matter complained of.

If the committee shall deem such complaint of sufficient importance it shall cause a copy thereof to be sent to such accused person (hereinafter called the respondent), together with a request that the respondent file, within a reasonable time, to be fixed by the committee, such written answer as he may desire to make to the charges contained in the complaint. At any time after the receipt of such complaint or after any answer has been filed, any matter may be ordered set for hearing before the Grievance Committee or Reasonable any sub-committee thereof. notice of the time and place of such hearing shall be given to both the complainant and the respondent, who shall be entitled to appear personally and by counsel. the time and place appointed, the committee or such sub-committee, in each case exclusive of any member who may have made the complaint, shall proceed to a hearing of the matter upon such complaint and answer, or if no answer be interposed upon the complaint alone.

The Committee on Grievances, or its subcommittee as aforesaid, in each case exclusive of any member who may have made the complaint, shall hear and determine the case and shall decide all questions of evidence.

Action adverse to the respondent shall be taken and the matter shall be reported to the Board of Trustees for action only upon the affirmative vote of at least five members of the Committee on Grievances.

If in any case the committee shall re-

port in writing to the Board of Trustees that in its judgment the case is such as to require further investigation or prosecution in the courts, the Board of Trustees may appoint one or more members of the Association whose duty it shall be to conduct the further investigation or prosecution of such defendant under the instruction and control of the Committee on Grievances.

Any member of the Association called as a witness or cited as respondent in any proceeding under this By-Law shall be bound to appear and to give his testimony, unless for a sufficient reason he shall be excused by the Committee on Grievances or by the Board of Trustees. For any unexcused neglect or refusal to appear or to give his testimony as requested by the Committee on Grievances, his refusal may be reported to the Board of Trustees for its action; and in case of his continuing and unexcused refusal after giving him such notice and opportunity to be heard as it shall deem proper, the Board of Trustees shall have power by the affirmative vote of a majority of the whole board, either to expel or to suspend him.

Unless otherwise ordered by the Board of Trustees, all the foregoing proceedings, except as otherwise provided, shall be secret until the Board of Trustees passes

a resolution appointing a prosecutor as hereinbefore provided. But the complainant and respondent in each proceeding shall be informed by the Secretary of the Association of the action taken by the Grievance Committee and Board of Trustees on all complaints presented to the Committee on Grievances.

The reasonable disbursements of the Committee on Grievances for expenses incurred in any investigation or prosecution may be paid out of the funds of the Association under the direction of the Board of

Trustees.

XI.

AMENDMENTS TO BY-LAWS.

These By-Laws may be amended at any annual or stated meetings of the Association, but only by a vote of two-thirds of those present, and provided that ten days' notice in writing of the proposed amendment shall have been given to the Board of Trustees, and also that a copy of the same shall have been mailed by the Secretary with the notice of the meeting; it shall be the duty of the Secretary to give such notice of any proposed by-law presented to him.

Upon the consideration of any proposed amendment, amendments thereto may be offered and voted upon at the meeting.

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Canons of Ethics of the Los Angeles Bar Association

(Adopted May 2, 1917)

T

PREAMBLE.

In America, where the stability of courts and of all departments of government rests upon the approval of the people, it is peculiarly essential that the system for establishing and dispensing justice be developed to a high point of efficiency so maintained that the public shall have absolute confidence in the integrity and impartiality of its administration. The future of the republic, to a great extent, depends upon our maintenance of justice pure and unsullied. It cannot be so maintained unless the conduct and the motives of the members of our profession are such as to merit the approval of all just men.

II.

THE CANONS OF ETHICS.

No code or set of rules can be framed which will particularize all the duties of the lawyer in the varying phases of litigation or in all the relations of professional life. The following canons of ethics are adopted by the Los Angeles Bar Association as a general guide, yet the numeration of particular duties should not be construed as a denial of the existence of others equally imperative, though not specifically mentioned:

1. The Duty of the Lawyer to the Courts-It is the duty of the lawyer to maintain towards the Courts, a respectful attitude, not for the sake of the temporary incumbent of the judicial office, but for the maintenance of its supreme importance. Judges not being wholly free to defend themselves, are peculiarly entitled to receive the support of the Bar against unjust criticism and clamor. Whenever there is proper ground for serious complaint of a judicial officer, it is the right and duty of the lawyer to submit his grievances to the proper authorities. In such cases, but not otherwise, such charges should be encouraged and the person making them should be protected.

- 2. The Selection of Judges-It is the duty of the Bar to endeavor to prevent political considerations from outweighing judicial fitness in the selection of Judges. It should protest earnestly and actively against the appointment or election of those who are unsuitable for the Bench; and it should strive to have elevated thereto only those willing to forego other employments, whether of a business, political or other character, which may embarrass their free and fair consideration of questions before them for decision. The aspiration of lawyers for judicial position should be governed by an impartial estimate of their ability to add honor to the office and not by a desire for the distinction the position may bring to themselves.
- 3. Attempts to Exert Personal Influence on the Court-Marked attention and unusual hospitality on the part of a lawyer to a Judge, uncalled for by the personal relations of the parties, subject both the Judge and the lawyer to misconstructions of motive and should be avoided. A lawyer should not communicate or argue privately with the Judge as to the merits of a pending cause, and he deserves rebuke and denunciation for any device or attempt to gain from a Judge special personal consideration or favor. A self-respecting independence in the discharge of professional duty, without denial or diminution of the courtesy and respect due the Judge's station, is the only proper foundation for cordial personal and official relations between Bench and Bar.
- 4. When Counsel for an Indigent Prisoner—A lawyer assigned as counsel for an indigent prisoner ought not to ask to be excused for any trivial reason, and should always exert his best efforts in his behalf.
- 5. The Defense or Prosecution of Those Accused of Crime—It is the right of the lawyer to undertake the defense of a person accused of crime, regardless of his personal opinion as to the guilt of the accused; otherwise innocent persons, victims only of suspicious circumstances,

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oposed ay be ng. might be denied proper defense. Having undertaken such defense, the lawyer is bound by all fair and honorable means, to present every defense that the law of the land permits, to the end that no person may be deprived of life or liberty but by due process of law.

The primary duty of a lawyer engaged in public prosecution is not to convict, but to see that justice is done. The suppression of facts or the secreting of witnesses capable of establishing the innocence of the accused is highly reprehensible.

6. Adverse Influences and Conflicting Interests—It is the duty of a lawyer at the time of retainer to disclose to the client all the circumstances of his relations to the parties, and any interest in or connection with the controversy, which might influence the client in the selection of counsel.

It is unprofessional to represent conflicting interests, except by express consent of all concerned given after a full disclosure of the facts. Within the meaning of this canon, a lawyer represents conflicting interests when, in behalf of one client, it is his duty to contend for that which duty to another client requires him to oppose.

The obligation to represent the client with undivided fidelity and not to divulge his secrets or confidences forbids also the subsequent acceptance of retainers or employment from others in matters adversely affecting any interests of the client with respect to which confidence has been re-

posed.

7. Professional Colleagues and Conflicts of Opinion—A client's proffer of assistance of additional counsel should not be regarded as evidence of want of confidence, but the matter should be left to the determination of the client. A lawyer should decline association as colleague if it is objectionable to the original counsel, but if the lawyer first retained is relieved, another may come into the case.

When lawyers jointly associated in a cause cannot agree as to any matter vital to the interest of the client, the conflict of opinion should be frankly stated to him for his final determination. His decision should be accepted unless the nature of the difference makes it impracticable for the

lawyer whose judgment has been overruled to co-operate effectively. In this event it is his duty to ask the client to relieve him.

Efforts, direct or indirect, in any way to encroach upon the business of another lawyer, are unworthy of those who should be brethren at the Bar; but nevertheless, it is the right of any lawyer, without fear or favor, to give proper advice to those seeking relief against unfaithful or neglectful counsel, generally after communication with the lawyer of whom the complaint is made.

- 8. Advising Upon the Merits of a Client's Cause-A lawyer should endeavor to obtain full knowledge of his client's cause before advising thereon, and he is bound to give a candid opinion of the merits and probable result of pending or contemplated litigation. The miscarriages to which justice is subject, by reason of surprises and disappointments in evidence and witnesses, and through mistakes of juries and errors of Courts, even though only occasional, admonish lawyers to beware of bold and confident assurances to clients, especially where the employment may depend upon such assurance. Whenever the controversy will admit of fair adjustment, the client should be advised to avoid or to end the litigation.
- 9. Negotiations With Opposite Party—A lawyer should not in any way communicate upon the subject of controversy with a party represented by counsel; much less should he undertake to negotiate or compromise the matter with him, but should deal only with his counsel. It is incumbent upon the lawyer most particularly to avoid everything that may tend to mislead a party not represented by counsel, and he should not undertake to advise him as to the law.
- 10. Acquiring Interest in Litigation— The lawyer should not purchase any interest in the subject matter of the litigation which he is conducting.
- 11. Dealing With Trust Property—Money of the client or other trust property coming into the possession of the lawyer should be reported promptly, and except with the client's knowledge and consent should not be commingled with his private property or be used by him.
 - 12. Fixing the Amount of the Fee-In

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15. Suppor fixing fees, lawyers should avoid charges which overestimate their advice and services, as well as those which undervalue them. A client's ability to pay cannot justify a charge in excess of the value of the service, though his poverty may require a less charge, or even none at all. The reasonable requests of brother lawyers, and of their widows and orphans without ample means, should receive special and kindly consideration.

In determining the amount of the fee, it is proper to consider (1) the time and labor required, the novelty and difficulty of the questions involved and the skill requisite properly to conduct the cause; (2) whether the acceptance of employment in the particular case will preclude the lawyer's appearance for others in cases likely to arise out of the transaction, and in which there is a reasonable expectation that otherwise he would be employed, or will involve the loss of other business while employed in the particular case, or antagonisms with other clients; (3) the customary charges of the Bar for similar services; (4) the amount involved in the controversy and the benefits resulting to the client from the services; (5) the contingency or the certainty of the compensation; and (6) the character of the employment, whether casual or for an established and constant client. No one of these considerations in itself is controlling. They are mere guides in ascertaining the real value of the service.

In fixing fees it should never be forgotten that the profession is a branch of the administration of justice and not a mere money-getting trade.

- 13. Contingent Fees—Contingent Fees, where sanctioned by law, should be under the supervision of the Court, in order that clients may be protected from unjust charges.
- 14. Suing a Client for a Fee—Controversies with clients concerning compensation are to be avoided by the lawyer so far as shall be compatible with his self respect and with his right to receive reasonable recompense for his services; and lawsuits with clients should be resorted to only to prevent injustice, imposition or fraud.
- 15. How Far a Lawyer May Go in Supporting a Client's Cause—Nothing op-

erates more certainly to create or to foster popular prejudice against lawyers as a class, and to deprive the profession of that full measure of public esteem and confidence which belongs to the proper discharge of its duties, than does the false claim, often set up by the unscrupulous in defense of questionable transactions, that it is the duty of the lawyer to do whatever may enable him to succeed in winning his client's cause.

It is improper for a lawyer to assert in argument his personal belief in his client's innocence or in the justice of his cause.

The lawyer owes "entire devotion to the interest of the client, warm zeal in the maintenance and defense of his rights and the exertion of his utmost learning and ability," to the end that nothing be taken or be withheld from him, save by the rules of law, legally applied. No fear of judicial disfavor or public unpopularity should restrain him from the full discharge of his duty. In the judicial forum the client is entitled to the benefit of any and every remedy and defense that is authorized by the law of the land, and he may expect his lawyer to assert every such remedy or defense. But it is steadfastly to be borne in mind that the great trust of the lawyer is to be performed within and not without the bounds of the law. The office of attorney does not permit, much less does it demand of him for any client, violation of law or any manner of fraud or chicane. He must obey his own conscience and not that of his client.

- 16. Restraining Clients From Improprieties—A lawyer should use his best efforts to restrain and to prevent his clients from doing those things which the lawyer himself ought not to do, particularly with reference to their conduct towards Courts, judicial officers, jurors, witnesses and suitors. If a client persists in such wrongdoing the lawyer should terminate their relation.
- 17. Ill-Feeling and Personalities Between Advocates—Clients, not lawyers, are the litigants. Whatever may be the ill-feeling existing between clients, it should not be allowed to influence counsel in their conduct and demeanor toward each other or toward suitors in the case. All personalities between counsel should be scrupulously avoided. In the trial of a cause it is in-

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decent to allude to the personal history or the personal peculiarities and idosyncrasies of counsel on the other side. Personal colloquies between counsel which cause delay and promote unseemly wrangling should also be carefully avoided.

- 18. Treatment of Witnesses and Litigants—A lawyer should always treat adverse witnesses and suitors with fairness and due consideration, and he should never minister to the malevolence of prejudices of a client in the trial or conduct of a cause. The client cannot be made the keeper of the lawyer's conscience in professional matters. He has no right to demand that his counsel shall abuse the opposite party or indulge in offensive personalities. Improper speech is not excusable on the ground that it is what the client would say if speaking in his own behalf.
- 19. Appearance of a Lawyer as Witness for His Client—When a lawyer is witness for his client, except as to merely formal matters, such as the attestation or custody of an instrument and the like, he should leave the trial of the case to other counsel. Except when essential to the ends of justice, a lawyer should avoid testifying in Court in behalf of his client.
- 20. Newspaper Discussion of Pending Litigation—Newspaper publications by a lawyer as to pending or anticipated litigation may interfere with a fair trial in the courts and otherwise prejudice the due administration of justice. Generally they are to be condemned. If the extreme circumstances of a particular case justify a statement to the public, it is unprofessional to make it anonymously. An ex parte reference to the facts should not go beyond quotation from the records and papers on file in the Court; but even in extreme cases it is better to avoid any ex parte statement.
- 21. Punctuality and Expedition—It is the duty of the lawyer, not only to his client, but also to the Courts and to the public, to be punctual in attendance, and to be concise and direct in the trial and disposition of causes.
- 22. Candor and Fairness—The conduct of the lawyer before the Court and with other lawyers should be characterized by candor and fairness.

It is not candid or fair for the lawyer

knowingly to misquote the contents of a paper, the testimony of a witness, the language or the argument of opposing counsel, or the language of a decision or a text-book; or with knowledge of its invalidity, to cite as authority a decision that has been overruled, or a statute that has been repealed; or in argument to assert as a fact that which has not been proved, or in those jurisdictions where a side has the opening and closing arguments to mislead his opponent by concealing or withholding positions in his opening argument upon which his side then intends to rely.

It is unprofessional and dishonorable to deal other than candidly with the facts in taking the statements of witnesses, in drawing affidavits and other documents, and in the presentation of causes.

A lawyer should not offer evidence, which he knows the Court should reject, in order to get the same before the jury by argument for its admissibility, nor should he address to the Judge arguments upon any point not properly calling for determination by him. Neither should he introduce into an argument, addressed to the Court, remarks or statements intended to influence the jury or bystanders.

These and all kindred practices are unprofessional and unworthy of an officer of the law charged, as is the lawyer, with the duty of aiding in the administration of justice.

- 23. Attitude Toward Jury—All attempts to curry favor with juries by fawning flattery or pretended solicitude for their personal comfort are unprofessional. Suggestions of counsel, looking to the comfor or convenience of jurors, and propositions to dispense with argument, should be made to the Court out of the jury's hearing. A lawyer must never converse privately with jurors about the case; and both before and during the trial he should avoid communicating with them, even as to matters foreign to the cause.
- 24. Right of Lawyer to Control the Incidents of the Trial—As to incidental matters pending the trial, not affecting the merits of the cause, or working substantial prejudice to the rights of the client, such as forcing the opposite lawyer to trial when he is under affliction or bereavement; forcing the trial on a particular day to the

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injury of the opposite lawyer when no harm will result from a trial at a different time; agreeing to an extension of time for signing a bill of exceptions, cross-interrogatories and the like, the lawyer must be allowed to judge. In such matters no client has a right to demand that his counsel shall be illiberal, or that he do anything therein repugnant to his own sense of honor and propriety.

25. Taking Technical Advantage of Opposite Counsel; Agreements With Him—A lawyer should not ignore known customs or practice of the Bar or of a particular Court, even when the law permits, without giving timely notice to the opposing counsel. As far as possible, important agreements affecting the rights of clients, should be reduced to writing; but it is dishonorable to avoid performance of an agreement fairly made because it is not reduced to writing, as required by rules of Court.

26. Professional Advocacy Other Than Before Courts—A lawyer openly, and in his true character, may render professional services before legislative or other bodies, regarding proposed legislation and in advocacy of claims before departments of government, upon the same principles of ethics which justify his appearance before the Courts; but it is unprofessional for a lawyer so engaged to conceal his attorneyship, or to employ secret personal solicitations, or to use means other than those addressed to the reason and understanding to influence action.

27. Advertising, Direct or Indirect—The most worthy and effective advertisement possible, even for a young lawyer, and especially with his brother lawyers, is the establishment of a well-merited reputation for professional capacity and fidelity to trust. This cannot be forced, but must be the outcome of character and conduct. The publication or circulation of ordinary simple business cards, being a matter of personal taste or local custom, and sometimes convenience, is not per se improper. But solicitation of business by circulars or advertisements, or by personal communications or interviews, not warranted by personal relations, is unprofessional. It is equally unprofessional to procure business by indirection through touters of any kind, whether allied real estate firms or trust companies advertising to secure the drawing of deeds or wills or offering retainers in exchange for executorships or trusteeships to be influenced by the lawyer. Indirect advertisement for business by furnishing or inspiring newspaper comments concerning causes in which the lawyer has been or is engaged, or concerning the manner of their conduct, the magnitude of the interests involved, the importance of the lawyer's positions, and all other self-laudation, defy the traditions and lower the tone of our high calling, and are intolerable.

28. Stirring Up Litigation, Directly or Through Agents-It is unprofessional for a lawyer to volunteer advice to bring a lawsuit, except in rare cases where ties of blood, relationship or trust make it his duty to do so. Stirring up strife and litigation is not only unprofessional, but it is indictable at common law. It is disreputable to hunt up defects in titles or other causes of action and inform thereof in order to be employed to bring suit, or to breed litigation by seeking out those with claims for personal injuries or those having any other grounds of action in order to secure them as clients, or to employ agents or runners for like purposes, or to pay or reward, directly or indirectly, those who bring or influence the bringing of such cases to his office, or to remunerate policemen, court or prison officials, physicians, hospital attaches or others who may succeed, under the guise of giving disinterested friendly advice, in influencing the criminal, the sick and the injured, the ignorant or others, to seek his professional services. A duty to the public and to the profession devolves upon every member of the Bar having knowledge of such practices upon the part of any practitioner, immediately to inform thereof to the end that the offender may be disbarred.

29. Upholding the Honor of the Profession—Lawyers should expose without fear or favor before the proper tribunals corrupt or dishonest conduct in the profession, and should accept without hesitation employment against a member of the Bar who has wronged his client. The counsel upon the trial of a cause in which perjury has been committed owe it to the profession and to the public to bring the matter to the knowledge of the prosecuting authorities. The lawyer should aid

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in guarding the Bar against the admission to the profession of candidates unfit or unqualified because deficient in either moral character or education. He should strive at all times to uphold the honor and to maintain the dignity of the profession and to improve not only the law but the administration of justice.

30. Justifiable and Unjustifiable Litigations—The lawyer must decline to conduct a civil cause or to make a defense when convinced that it is intended merely to harass or to injure the opposite party or to work oppression or wrong. But otherwise it is his right, and having accepted retainer, it becomes his duty to insist upon the judgment of the Court as to the legal merits of his client's claim. His appearance in Court should be deemed equivalent to an assertion on his honor that in his opinion his client's case is one proper for judicial determination.

31. Responsibility for Litigation-No lawyer is obliged to act either as adviser or advocate for every person who may wish to become his client. He has the right to decline employment. Every lawyer upon his own responsibility must decide what business he will accept as counsel, what causes he will bring into Court for plaintiffs, what cases he will contest in Court for defendants. The responsibility for advising questionable transactions, for bringing questionable suits, for urging questionable defenses, is the lawyer's responsibility. He cannot escape it by urging as an excuse that he is only following his client's instructions.

32. The Lawyer's Duty in Its Last Analysis-No client, corporate or individual, however powerful, nor any cause, civil or political, however important, is entitled to receive, nor should any lawyer render any service or advice involving disloyalty to the law whose ministers we are, or disrespect of the judicial office, which we are bound to uphold, or corruption of any person or persons exercising a public office or private trust, or deception or betrayal of the public. When rendering any such improper service or advice, the lawyer invites and merits stern and just condemnation. Correspondingly, he advances the honor of his profession and the best interests of his client when he renders service or gives advice tending to impress upon the client and his undertaking exact compliance with the strictest principles of moral law. He must also observe and advise his client to observe the statute law, though until a statute shall have been construed and interpreted by competent adjudication, he is free and is entitled to advise as to its validity and as to what he conscientiously believes to be its just meaning and intent. But above all a lawyer will find his highest honor in a deserved reputation for fidelity to private trust and to public duty, as an honest man and as a patriotic and loyal citizen.

· III.

OATH OF ADMISSION.

The general principles which should ever control the lawyer in the practice of his profession are clearly set forth in the following Oath of Admission to the Bar formulated upon that in use in the State of Washington, and which conforms in its main outlines to the "duties" of lawyers as defined by statutory enactments in that and many other states of the Union—duties which they are sworn on admission to obey and for the wilful violation of which disbarment is provided:

I Do SOLEMNLY SWEAR:

I will support the Constitution of the United States and the Constitution of the State of I will maintain the respect due the Courts of Justice and judicial officers.

I will not counsel or maintain any suit or proceeding which shall appear to me to be unjust, nor any defense except such as I believe to be honestly debatable under the law of the land;

I will employ for the purpose of maintaining the causes confided to me such means only as are consistent with truth and honor, and will never seek to mislead the Judge or jury by any artifice or false statement of fact or law;

I will maintain the confidence and preserve inviolate the secrets of my client, and will accept no compensation in connection with his business except from him or with his knowledge and approval; I w sonality to the witness the car I will abstain from all offensive personality, and advance no fact prejudicial to the honor or reputation of a party or witness, unless required by the justice of the cause with which I am charged; I will never reject from any consideration personal to myself the cause of the defenseless or oppressed, or delay any man's cause for lucre or malice. So Help ME GOD

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Decisions of the Committee on Legal Ethics Since February 27, 1927

 REGARDING THE INSERTION IN NEWS-PAPERS OF CARDS BY MEMBERS OF THE LEGAL PROFESSION.

With reference to inquiry of the Los Angeles *Evening Herald* of May 12, 1917, and other inquiries of similar nature, asking whether insertion by members of the legal profession of cards in newspapers is permissible under the law, written and unwritten, of this Association, the Committee on Legal Ethics begs to report as follows:

The solicitation by lawyers of business by circulars or advertisement is unprofessional. The insertion in a publication of ordinary simple business cards may or may not be considered improper, depending, in some instances, upon the local customs of the locality. Considering the customs and conditions prevailing in this community, the committee holds that the insertion by lawyers of business cards in newspapers is improper.

2. Attorney Acting for Parties Representing Conflicting Interests:

The following question was submitted to this committee for decision:

"'B' employed 'A', an attorney, to bring suit against 'X' and 'Y' to recover property (real estate) which had been conveyed by 'B' to 'X' who later conveyed to 'Y'. The suit was brought in the Superior Court of California, and dismissed before trial. 'B', later, procured an indictment of 'X' by the federal grand jury for using the mails in a scheme to defraud 'B', all of which facts upon which said indictment was returned arose out of the transaction upon which the civil suit was founded. "Question: In your opinion does pro-

"Question: In your opinion does professional ethics prevent 'A' from defending 'X' if 'X' requests?"

In the opinion of this committee professional ethics would prohibit the attorney from acting for "X" in criminal proceedings under the facts as stated in the hypothetical question. The matter is fully covered by Canon VI of the Code of Ethics of the Los Angeles Bar Association.

3. REGARDING THE SOLICITING BY AT-

TORNEY-AT-LAW OF THE RIGHT TO REPRESENT ABSENT HEIRS:

This committee feels that the growing practice of certain lawyers soliciting the right to represent non-resident heirs in probate proceedings pending in this State, and the practice of other lawyers who, through agents, cappers and so-called ambulance chasers, solicit the right to represent persons who contemplate actions for negligence, should be the subject of thorough and immediate investigation by the Los Angeles Bar Association.

4. Relation of Attorneys to Collection Agencies:

The following letter was submitted to this committee for its opinion:

"Oscar C. Mueller, "October 20, 1917. "824 Van Nuys Bldg., City.

"DEAR SIR: Shall be glad if you will have the kindness to advise me what the position is of an attorney acting for an association connected with the collection of debts, where the attorney receives a re-

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muneration contingent upon collection, and is aware that the association is charging its members who place the accounts with the association for such collection a larger remuneration it can allow the collection attorney. It seems to be the practice throughout the United States that attorneys representing the big associations receive a certain fractional part of the gross remuneration charged by the association to its contributing members.

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"One association that I have in mind allows its attorney two-thirds of 10 per cent by way of remuneration for the attorney, contingent upon collection of the debt, but the same association charges its members the full 10 per cent. What is the position of the collection attorney under those circumstances? The big national collection agencies apparently employ attorneys in every city under the same remuneration, viz., allowing the attorney a certain fractional part of the amount that is actually paid by the members of the association. These same associations in many instances, particularly in the one instance I have in mind, charge their members a fee with every account lodged, in addition to the commission contingent upon collection. No part of this fee goes to the attorney.

"I am asking your advice and shall be grateful if you will have the kindness to consider the question and advise me in due course. If you will have the kindness to give me the reference to the case you mentioned, in which the National Jewelers Wholesalers Board of Trade, head office at New York, was cited into court, and the decision had, shall esteem it a favor.

"I beg to remain,

"Very truly yours,

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After consideration of the above letter, it is the opinion of the committee that the subject, as stated, does not come within the scope of this committee's duties. If an attorney cares to represent a collection association or firm under an agreement or arrangement whereby the attorney receives a certain proportion of the charge which the association or firm makes to its client, and there is no misrepresentation by the collection association or firm to the client regarding the proportion of the charge made which the attorney receives, it would

appear to this committee that there is not per se any breach of professional ethics on the part of the attorney in that connection. This committee expressly does not pass upon the propriety of attorneys acting for such associations.

In cases where such associations lead their clients to believe that the charge as made the client is the amount necessary to cover the services of the lawyer, then this committee would consider it unprofessional for the attorney to act for such association.

5. Form of Letter from Attorney to Client, Where Client's Check for Professional Fees Is Returned Marked Insufficient Funds."

The following question was submitted to the Secretary of the Bar Association, and by him to this committee:

"Is it ethical: For an attorney who was given a check by a client for fees, which check was returned marked 'insufficient funds,' to write his client that unless the check is paid before a certain date, the matter will be taken up with the authorities?"

This committee decides that such is not ethical, and that, moreover, the writing of such letter might be construed as a criminal offense. In this connection the committee refers to Section 650 of the Penal Code of the State of California.

6. Lawyer Representing Conflicting Interests—Under What Circumstances Proper:

The following question was presented to the Legal Ethics Committee of the Los Angeles County Bar Association for its opinion:

"For sometime I have represented A and B, husband and wife, through a course of litigation of considerable magnitude. During the same time, I have also represented C and D, husband and wife, who likewise own considerable property in this city.

"Recently C and D called upon me to foreclose a mortgage made and executed by B prior to the time she married A, but during the time, I have represented her as her attorney.

"Upon receipt of instructions to foreclose the mortgage, I sent for A and B and told them I had been retained to foreclose the mortgage and asked them if there was any reason why the same should not be foreclosed.

"They stated there was not, as they had subsequently deeded the property and offered to give a quitclaim deed, if I would not enter a deficiency judgment. I submitted the proposition to C and D and it being agreeable to all concerned, I accepted the quitclaim deed, drew an agreement between the parties and I am now foreclosing the mortgage, thereby appearing as attorney for one client of the office against another client of the office, in a capacity which I have concluded is absolutely fair and proper.

"However, the matter has been called to my attention by a member of the Bar and as I intend never to allow suggestions against my character to go unanswered, I ask that you pass upon this question, and having determined the correctness of my position in your own mind, I will convey the judgment of this Honorable Committee to the counsel who attempted to impute my motives."

In addition to the above this committee made inquiry from the gentleman asking the question and he furnishes the committee the following supplemental data:

- (a) That, while he was under general retainer from A and B, he was not specially retained or paid by them, or either of them, in connection with the matter in issue:
- (b) A deficiency judgment against A or B, or both, would be valueless;
- (c) Realty under mortgage, in the opinion of C and D, and from what information the lawyer himself had, was adequate in value to pay the judgment and costs in the case;
- (d) That his advice to C and D was complete in regard to the effect of the transaction and their rights to and under any deficiency judgment;
- (e) That C and D were experienced business people who had theretofore been parties plaintiff in various foreclosure proceedings.

Under the circumstances detailed in the above inquiry, and assuming all said additional facts which were so communicated to it, the committee is of the opinion that the attorney's actions were proper. The committee, however, feels that the safer practice for lawyers confronted with similar or analogous situations is to decline to advise one or the other of the parties whose interests are or may be conflicting. The opportunity for misunderstandings under situations like that outlined above, is so great, that, except under unusual circumstances, the lawyer concerned will find it to his personal advantage and in the best interests of the profession as a whole, to see that parties whose interests are not identical receive independent advice.

The following portion of Canon Six of the Canons of Professional Ethics of the Los Angeles County Bar Association, lays down the rule by which the lawyer should be governed in cases of the above nature. We quote such portion of said Canon Six as follows:

"It is unprofessional to represent conflicting interests except by express consent of all concerned, given after a full disclosure of the facts. Within the meaning of this canon a lawyer represents conflicting interests whenever his duty to one client may require or lead him to do anything that may injure the cause of his other client or to leave undone anything that might advance it."

Dated: December 31, 1918.

7. REGARDING PRACTICE OF ATTORNEYS AND THEIR EMPLOYEES OF TAKING IN THEIR OWN NAMES, ASSIGNMENTS OF CLAIMS FOR THE PURPOSE OF SUIT.

The following communication from an attorney-at-law has been addressed to the Los Angeles Bar Association for its advice and opinion:

"I would like to obtain your advice

upon the following point:

"You may be aware that very frequently clients of mine prefer to assign their accounts to me to file suit in my name rather than to file suit in their name, this probably for trade reasons, best known to themselves.

"I have, from time to time, had such assignments questioned, under Section 161 of the Civil Code, but the decision in Tuler v. Arnold, 98 Cal. 522-524, 33 Pac. Rep. 445, is obviously in point, when the assignment is made at the request of the client and for his conven-

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in his and pl is too court is a men siding dignity ience, and that is the construction that has been placed upon any cases that I have brought, by several of the Judges in the Superior Court of Los Angeles.

"I would, however, like to have your personal opinion on the point. I am most desirous of hearing from you on this particular subject."

Section 161 of the Penal Code (erroneously cited in the above communication as Section 161 of the Civil Code) is as follows:

"Every attorney who, either directly or indirectly, buys or is interested in buying any evidence of debt or thing in action, with intent to bring suit thereon, is guilty of a misdemeanor."

The impropriety of conduct such as is prohibited by the above section of the Penal Code, is of course beyond debate. But the question submitted involves, as we understand, no element of purchase on the part of the attorney; and there is no statute applying to the supposed situation.

There are occasions, more or less frequent, upon which it is a considerable convenience to both client and attorney to conduct the suit in the name of a nominal party; and the attorney's convenience, and at times that of the client, is promoted by having such nominal party in the attorney's own office, where he is readily available at all times.

Usually the opposing party suffers no detriment by such a course, except where his judgment for costs is embarrassed by reason of the irresponsibility of the nominal plaintiff; but this detriment is likely to be frequent, because usually such nominal plaintiff is a clerk of no financial responsibility.

While this procedure, in our opinion, is not necessarily opposed, under circumstances of unquestioned good faith, to the ethical standards of the profession, there are grave objections to it, which impel us to urge its renunciation by the bar.

The attorney, even where he brings the suit in the name of his clerk rather than in his own name, suffers a loss of dignity, and places himself in a false position. It is too often forgotten that his position in court is not that of a litigant, but that of a member of the court, assisting the presiding member in establishing justice. The dignity of this position suffers a very con-

siderable lapse when he enters the lists in his own, or his employee's name as a litigant; and his status as a member of the court is considerably impaired.

The practical objections are equally ob-The attorney assumes relations to the litigation which he ought not to acquire, and which his client ought not to concede. It is a wise provision which reserves to the client the right to compromise his own case; but that right is surrendered to the attorney when the latter, or his employee, becomes plaintiff in the case. No right minded attorney would of course exercise a power committed to him in such a way, but its mere possession would be embarrassing both to him and to his client; and the possession of such a power cannot be justified on the ground that it might not be used.

The situation is fruitful of other embarrassments to the client. In case of disagreement with the attorney, by reason of his neglect, incompetence, or otherwise, the difficulty of changing counsel would be greatly aggravated, and in the hands of an attorney holding a grudge or dishonest design against his client, the latter would find it hard to resume title to his own cause of action. This difficulty in the resumption of title would also occur in case of the attorney's death or absence; and where such title is vested in the attorney's clerk or stenographer, the precarious state of the client's interest is even more ap-The practice of executing an parent. immediate reconveyance to the client does not satisfactorily avoid the difficulty; if the reconveyance is delivered, the nominal plaintiff cannot prove his ownership of the claim; if it is not delivered, the client is no better off than without it. An attorney should not be permitted to argue a case in which he is himself a witness; and the reason for this rule applies with equal force to a case in which he is the plaintiff. The result will therefore be that the client will be deprived of the benefit of his attorney's services in a particular in which he is most entitled to them. If it be said that a lay party has the right to try, and argue, his own case, and that an attorney should be permitted an equal privilege, we are unable to agree with that conclusion: The attorney's relations to the court and the obligations of his office distinguish him from the layman trying his own case, and

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nt, reena privilege of this kind granted the latter cannot be to the same extent claimed by the attorney, where he is acting as plaintiff under an assigned claim from his client.

In addition, ordinary prudence on the part of the attorney should decide against such a procedure. In becoming a party plaintiff, he renders himself liable to a judgment for costs, and in some cases to worse; and if he does not care to assume that risk himself, he ought not to ask an employee to do so. When the attorney finds himself a judgment debtor in the interest of his client, and the client is impecunious, or dilatory, or disappointed, his relations with his client will suffer a considerable change, and he may find himself involved with both the opposing party and his own client.

After careful consideration, we are unable to countenance the practice in question, and we accordingly urge the members of the bar to avoid it.

Dated: December 31, 1918.

 Attorney Conducting "Legal Query Column" in Newspaper, or Periodical.

In the case presented, an attorney at this Bar conducted a Legal Query Column in a publication known as "Greater Los Angeles," published and circulated in this city. At the head of the column appears a picture of the attorney over his name, and designating him as an attorney.

Directions are given below the photograph to send legal questions to such attorney at his given address, and it is stated also that Free Consultations were available at such attorney's office between certain hours of one week day. It is requested also in this Legal Query Column that all those sending questions enclose their names and addresses.

In the single issue of the publication presented to this committee an answer to one query suggests that the persons asking the question call to see the attorney conducting such column.

Another answer advised that the party see "an attorney immediately". In view of the photograph, address and profession advertised by the attorney in question, it is reasonable to presume that the latter intended to suggest that such party see the writer of the column himself.

Palpably the running of this so-called "Legal Query Column" is unethical. Moreover, being conducted under the guise of a department to assist subscribers or readers, it has not even the element of openness or frankness to commend it.

The impropriety of conduct such as that in question is well and clearly stated in the Canons of Ethics of the Los Angeles Bar Association, Par. II, Sub. 27, a portion of which subdivision reads as follows:

"But solicitation of business by circulars or advertisements, or by personal communications or interviews, not warranted by personal relations, is unprofessional."

Dated: December 31, 1920.

9. Attorney Doing Business Under A Fictitious Trade Name, Under Which Name He Advertises the Practice of Law, and Offers to Act in Various Legal and Business Capacities.

It is unprofessional for an attorney to assume to practice law under a fictitious trade name.

Moreover, it is a misrepresentation to hold out to the public that such a concern can act as administrator, executor or guardian, the inference from the use of the name being that it is a corporation legally organized and entitled to so act.

In this instance the attorney in question, upon suggestion from this committee, ceased his unethical practices.

Dated: December 16, 1921.

10. LAWYER ACCEPTING EMPLOYMENT FROM ONE BROUGHT TO HIM BY A CLIENT OF ANOTHER LAWYER WHO HAS ASSOCIATED THE OTHER IN THE CLIENT'S CASE.

This committee's opinion is asked on the following question:

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"A and B are lawyers in the same office but not partners. A anticipates going on an extended trip. He has pending an important case and he associates B with him in said case, and it is agreed that B shall receive one-third of the fee and A the remaining two-thirds. B becomes active in the case, thereby becoming well acquainted with C, the plaintiff in said case and A's client. One day while A is in court, C 'phones the office, and knowing A is in court, asks to speak to B, who is in. C tells B that he, C, is bringing in a party who probably has a law suit to be filed. Pursuant thereto C brings in D, introducing her to B. D and B agree upon terms. In the meantime A goes East, has never met D, renders no service for D whatsoever. D pays B for his services. Is A entitled to any portion of fee paid to B by D?"

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The question calls for an opinion as to the legal liability of one to another, and it is not within the province of this committee to determine that matter.

The query is not definite, but, assuming that C intended to bring D to A, and, only because of A's absence in Court, introduced D to B, then it is the committee's opinion that B, by taking D's case, encroached upon A's business, and that his action, under those circumstances, did not conform to the Canons of Ethics of this Association.

The Canons of Ethics provide as follows:

"Efforts, direct or indirect, in any way to encroach upon the business of another lawyer, are unworthy of those who should be brethren at the Bar;

Article II, Sub. 7, Canons of Legal Ethics, Los Angeles Bar Association.

Assuming, however, that the absence of A from his office had nothing to do with D's placing his matter in B's hands, but that in going with C to the offices of A and B, D did so to see B only, and that neither C nor D had wished to see A regarding D's matter, then B's action was not an encroachment on A's business. This committee feels, however, that even under the circumstances last hereinabove assumed, it would have been best had B at once openly brought the situation to A's

attention, and fully explained to him the facts which he felt justified him in accepting the employment.

Dated: December 16, 1921.

11. Publication by Lawyers of Mere Business Cards in Advertising Column of Journal Devoted to Interests of a Social Organization of Which Such Lawyers are Members.

The Canons of Ethics of this Association contain the following, applying generally to advertising by lawyers:

"The most worthy and effective advertisement possible, even for a young lawyer, and especially with his brother lawyers, is the establishment of a wellmerited reputation for professional capacity and fidelity to trust. This cannot be forced, but must be the outcome of character and conduct. The publication or circulation of ordinary simple business cards, being a matter of personal taste or local custom, and sometimes convenience, is not per se improper. But solicitation of business by circulars or advertisements, or by personal communications or interviews, not warranted by personal relations, is unprofessional." (p. 73.)

Canons of Ethics, Article II, Sub. 27, p. 73.

This committee cannot say that, under the facts stated in the heading hereto, the insertion of a mere business card in such a journal is per se improper, but feels that the practice should be discouraged. To encourage advertisements of this nature in such journals would be to aid in establishing a local custom, which in time would do away entirely with the salutary provisions of the Canons of Ethics above quoted.

By way of illustration, it may be stated that certain newspapers have in the past attempted to obtain a ruling from this committee approving the running of an advertisement column containing merely the business cards of lawyers. Had such approval been given, we assume that many lawyers would feel justified in running their cards as advertisements in newspapers of general circulation. This would undoubtedly then be used to justify a like column for physicians, and so, in time we take it, the custom would spread to the great ultimate detriment of all profes-

This committee sees no sufficient distinction between the publication of such cards by way of advertisement in a journal of limited circulation published by a social organization to which all the lawyers so advertising belong, and a newspaper of general circulation, to justify our approval of the practice suggested. That the insertion of like cards in similar publications has to some extent been practiced in this locality in the past, is not considered justification for future continuance of the prac-In the last analysis it is a direct method of advertising, and unless we as a profession are prepared to depart from the principle which in that regard has governed our actions in the past, we must continue to disapprove the insertion of advertisements like those in question.

Dated: December 16, 1921.

 Employment of Press Agent by Attorneys.

A publicity expert has lately been soliciting lawyers to employ his services in obtaining desirable, and suppressing undesirable, publicity. A portion of his circular reads:

"You know what publicity can do for an attorney—and for some cases. Do you know how to get it? How to get the utmost value from every bit of news that passes through your hands? How to keep to the greatest possible minimum publicity which you wish to avoid."

"If you think you can use my services in the future, let me know now before it is too late. Preparation is needed for publicity and its suppression."

Should any lawyer employ any such agent for the purposes set forth in the above mentioned circular, his act would not only be unethical but exceedingly reprehensible. No instance of a lawyer entering into such an arrangement has been brought to our attention.

The matter in question is particularly covered in the Canons of Ethics of this Association, reading:

"Indirect advertisement for business by furnishing or inspiring newspaper comments concerning causes in which the lawyer has been or is engaged, or concerning the manner of their conduct, the magnitude of the interests involved, the importance of the lawyer's positions, and all other self-laudation, defy the traditions and lower the tone of our high calling, and are intolerable." (p. 73.) Canons of Ethics, Par. II, Sub. 27.

Dated: December 16, 1921.

13. Propriety of Attorney Secretly Advising a Plaintiff in a Pending Divorce Suit Where She Is Being Represented by Other Counsel of Record.

The following question was presented by a member of the bar for this committee's opinion:

"Is it proper for an attorney to advise a party plaintiff in a divorce action with reference to the proper conduct of the case and at the same time request the plaintiff not to divulge counsel's name to her present attorney of record?"

"In other words, counsel in the case I have in mind appears to have advised the client that the case was improperly conducted, but at the same time advised the client to conceal his name, which prevents the attorney of record from conferring with him and to give an explanation, if any such is necessary."

As the committee understands the questions asked, the case presented is not one where the client is seeking some relief against the attorney representing her, but is one where she is intending to continue the services of her attorney, at the same time desiring to secretly procure advice from another lawyer regarding her attorney's conduct of the litigation.

It is the opinion of the committee that it is improper for a lawyer to advise one regarding the conduct of her case by another lawyer who is at such time representing such client. The lawyer so approached should state to the client of the other lawyer that he can give no advice regarding the conduct of the litigation so long as such client is being represented by such other counsel. He could also suggest that the client have a frank talk with her own attorney and attempt to satisfy herself regarding her attorney's conduct of her case. Where one is favorably acquainted with the standing and reputation of the attorney in question, he might well so state, and thus emphasize the fact that it is the duty of the client, and to such client's own interest, to carefully and fairly consider all the circumstances involved before of proper stance proach cautio

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well that such fairly d before concluding that her case is not being properly conducted. Under all circumstances it is a situation which is to be approached and handled with the greatest caution and delicacy.

It must be noted that the committee does not construe the above query as presenting a case where the client is making a complaint against an attorney and is seeking relief against him for some unfaithfulness to his trust, or for some neglectful act upon his part. In such latter case the conduct of the lawyer approached by the client of the attorney complained of would be governed by the third paragraph of Sec. 7, Article II of the Canons of Legal Ethics of this Bar Association which provides in part as follows:

"* * but nevertheless, it is the right of any lawyer, without fear or favor, to give proper advice to those seeking relief against unfaithful or neglectful counsel, generally after communication with the lawyer of whom the complaint is made."

A lawyer as he grows older in practice comes to realize that many complaints by clients regarding the conduct of their cases are unfounded and often based upon unwarranted suspicions. While being always willing to fearlessly expose before the proper tribunal corrupt or dishonest conduct in the profession, a lawyer should likewise put aside any thought of financial gain to himself, and, where the facts justify it, so act as to re-establish full confidence between a dissatisfied client and his or her lawyer.

Dated: January 1, 1922.

14. Selected and Limited Directory Service—Insertion of Lawyer's Name Therein as Advertising.

A concern is soliciting lawyers to pay for insertion of their names in a mechanically operated directory device, the directory to include the names of those so paying and, so it is claimed, to include no lawyer who is not of good standing.

This is advertising pure and simple, and it is unethical to subscribe to the scheme.

Dated: December 16, 1921.

15. Acceptance of Employment by Attorney From Heirs of Estate in WHICH HE FORMERLY ACTED AS ATTORNEY FOR PUBLIC ADMINISTRATOR BUT FOR WHOM HE CEASED TO ACT AFTER RULING THAT PUBLIC ADMINISTRATOR WAS COMPELLED TO EMPLOY SERVICES OF COUNTY COUNSEL AND THAT THE ATTORNEY IN QUESTION WAS NOT ENTITLED TO ANY FEES FOR THE SERVICES HE HAS RENDERED.

The above heading sufficiently states most of the facts necessary for an understanding of this opinion, except that it may be noted that the heirs resided out of this state and voluntarily requested the attorney to look after their respective interests, and the further fact that there appeared to be no situation which would cause a conflict of interests precluding the attorney from acting for the heirs. In this matter there seemed no particular necessity for the heirs employing an attorney, but the record further shows that the attorney, before accepting employment from any of the heirs, fairly and fully explained the situation and that the estate would doubtless be handled satisfactorily without the heirs being specially represented.

It is the opinion of this committee that under the circumstances of this particular matter, there was no conflict of interests which precluded the attorney from acting for the heirs after his employment by the Public Administrator was found to be contrary to law and after such employment by the latter had ceased.

Dated: December 6, 1922.

16. Attorney's Name and Designation as Attorney Appearing Upon Letterhead of a Business Firm Which Thereon Advertises Its Practice of Law.

The letterhead in this instance, except for the omission of the manager's name, the attorney's name, office and phone number, was as follows:

".....Mgr.

PROPERTY OWNERS' GUIDE

Offices
Building

.....Att'y

Los Angeles, California

Phone

Titles examined
Defects removed
Certificates run down
Abstracts made
Escrows handled
Legal papers executed
Estates probated
Land appraised
Loans made
Legal advice on all
law and equity
matters
we will save you
money
See us first"

Upon complaint to this Bar Association, the above letterhead was apparently discarded, the firm's name changed, and the following, except for similar exceptions above noted, substituted for the firm's use, viz.:

"Secure a Torrens Title—It's a state guarantee—Best Title in the world.

STATE TORRENS TITLE COMPANY

Estates probated
Titles quieted
Legal advice

Chief Counsel
General Agent
Building

Los Angeles, California.

Phone

Real estate and loans
Abstracts, escrows
Torrens titles

The attorney acted as counsel for the above institutions and knowingly permitted the use of his name upon such letterheads. He thereby violated the Canons of Legal Ethics, and his conduct was unprofessional. Each of said institutions by its respective letterhead advertised the practice of law, whereas the practice of law by other than natural persons is prohibited by the law of this state.

Pople etc. ex rel. Lawyers' Institute of San Diego v. Merchants Protective Association, 64 C. D. 253.

In an opinion of this committee of December 16, 1921, it was decided that it was unprofessional for an attorney to assume to practice law under a fictitious firm name, to which opinion reference is here made for a further discussion of the subject.

Dated: December 6, 1922.

17. ADVERTISING BY AN ATTORNEY.

Here the attorney sent out a printed announcement of the opening of offices in Los Angeles, Cal., for the "general practice of law in all its branches," giving his residence address and telephone, two separate office addresses and telephone numbers, reciting that his office was open two stated evenings a week, and that he would "be pleased to meet his clients, friends and the public in general." (Italics ours.)

This three-page folder announcement, socalled, contained some seven printed letters of recommendation of the attorney from men in the city where he formerly practiced, all grouped under the heading. "Credentials."

This announcement is an advertisement, and its circulation unprofessional.

The Canons of Ethics of this Association provide that:

** * solicitation of business by circulars or advertisements or interviews, not warranted by personal relations, is unprofessional."

Canons of Ethics, Art. II, Sub. 27, p. 73.

Reference is here made to opinion of the committee of December 16, 1921, dealing with the subject of advertising by attorneys.

Dated: December 6, 1922.

18. PAYMENT BY ATTORNEY OF COMMISSION TO LAYMEN REFERRING LAW BUSINESS TO THE ATTORNEY.

The query submitted states that a real estate agent brought a person to the attorney to have property registered under the Torrens Title Act, the real estate agent having been informed by another that the attorney would pay twenty per cent of his fee to such real estate agent for so referring the business. The attorney declined to take the matter on such a basis

The attorney in question acted properly in refusing to accept employment on the suggested basis.

The procuring of business through "touters" is directly prohibited by the following provision of the Canons of Ethics, viz.:

"It is equally unprofessional to procure business by indirection through touters of any kind, whether allied real estate firms or trust companies advertising to secure the drawing of deeds or wills or offering retainers in exchange for influ C

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Canons of Ethics, Art. II, Sec. 27, p. 73.

In Alpers v. Hunt, 86 Cal. 78, it was held that a contract between a layman and a firm of lawyers whereby the latter agreed to pay the layman a proportion of the attorney's fee in consideration of the layman procuring the business for the law firm, was contrary to public policy, and was void.

Dated: December 6, 1922.

19. Use by Attorney of So-Called "Final Notice Before Suit."

An attorney made a practice of using in the collection of claims a notice reading, except for his name which we omit, as follows:

"FINAL NOTICE BEFORE SUIT.

STATE OF CALIFORNIA COUNTY OF LOS ANGELES) FINAL NOTICE) \$.....

To the above named Debtor:-

FIRST: You will please take notice that the above named plaintiff claims that you are indebted to in the sum of Dollars

SECOND: Although duly demanded the same has not been paid, nor any part thereof.

THIRD: Now, therefore, unless you remit or appear at this office, Los Angeles, Cal., on or before the day of, A. D.,, at 3:00 o'clock P. M., said day, for payment of said claim, with interest thereon at the rate of seven per cent. per annum from the date of maturity, or make provision for adjustment thereof, suit will forthwith be brought for the total amount with interest, together with the costs and disbursements of the action.

Dated at Los Angeles this day of

Attorney for the above Creditor.

Check or Money Order should be sent at once to

(Here appears name and address of the attorney.)

Palpably the notice is intended to deceive the person addressed, causing him to believe that such notice is issued by authority of some court, and, through fear thus aroused, is calculated to induce the payment of the money claimed to be due.

The giving of such notice transgresses the Canons of Ethics.

Such practices, apart from the wrong done the public, deprive the profession of public esteem and confidence, and are directly opposed to the duty of attorneys to uphold the honor and maintain the dignity of their profession.

The using of notices such as that before us is reprehensible, and, as this committee understands the practice has been carried on to some considerable extent by attorneys representing collection agencies, we recommend that the views of this committee be brought directly to the attention of the offenders, and that in the future drastic action be taken by the Association against any such offenders.

Dated: December 6, 1922.

COMMUNICATIONS OF CLIENT TO ATTORNEY.

Attorney who has acted as personal attorney for officer, A, in corporation and also for such corporation is called as witness in accounting suit brought by another stockholder, B, to testify as to certain payments made by A to such attorney for A's personal account, but which A is wrongfully attempting to charge as a corporation expense, and as to certain communications pertaining thereto made by A to the attor-

The committee concludes from the detailed statement of the lawyer who asks for guidance in the matter that he is probably privileged to testify in the premises without the consent of his former client. Nevertheless, he is advised to do so only after claiming that such communications are privileged, and abiding by such ruling as the court may then make in that regard.

Dated: December 31, 1923.

21. RIGHT TO DELIVER TO OTHERS DOCUMENTS ENTRUSTED TO HIM CLIENT.

Smith calls upon an attorney and relates that he found his wife, "Mrs." Smith, and a Mr. Jones in a compromising situation, and thereupon, using a gun, threatened Jones' life. Whereupon Jones freely signed an incriminating statement, and also then gave Smith his check for \$1000, and also a note for \$5000, later handing Smith several photos of "Mrs." Smith taken with

The attorney advised Smith to retain the above instruments, but that to use same would be a criminal act, advising him to retain same as evidence. Smith then later presented him with "Mrs." Smith's signed statement incriminating herself and Jones.

The attorney, on Smith's behalf, brought suit against Jones for alienating "Mrs." Smith's affections.

After the suit had been set and continued "Mrs." Smith called on the attorney and informed him that Mr. Smith was in fact not her husband; that he had "seduced her away from her husband"; that Smith had induced her to inveigle Jones into the compromising situation to extort money from him; and that Smith had since disappeared. Attempts on the part of the attorney to locate his client failed, and a representative of the Department of Justice called upon him looking for Smith on a Mann Act charge involving "Mrs." Smith.

The attorney thereafter dismissed the action without prejudice.

The attorney acting for Jones in the action requested Smith's attorney to return to Jones the instruments above mentioned, and Smith's attorney asks this committee's advice.

This committee is of the opinion that the attorney has no right to turn over to Jones any instrument entrusted to the attorney by his client. If "Mrs." Smith's story be true, no recovery could be had on the check which was not presented for payment, and likewise as the note had never been negotiated and was past maturity, there could never be a recovery upon it. Jones, if he cares to, may effect a cancellation of the instruments by proper legal action.

Dated: December 31, 1923.

ATTORNEY INADVERTENTLY ACTING FOR CONFLICTING INTERESTS.

In this instance the attorney was employed on a contingent basis by the sister of deceased to contest the latter's will. The sister gave the attorney the names of the

nieces and nephews of deceased and stated she would advise them to likewise employ such attorney in the matter. A letter from one of the nieces or nephews gave the name of an illegitimate son of deceased, and the attorney inadvertently sent such son for his signature form of a contract providing for the attorney's employment. similar to that sent the other heirs.

It appears that the illegitimate son furnished some information to the attorney which would perhaps bring the illegitimate son within the benefit of Secs. 230 and 1387 of the Civil Code of California. The attorney, wishing to compromise with the proponent of the will, has asked the advice of this committee, and the committee's advice is as follows:

"Your subsequent employment by the illegitimate son having been through mere inadvertence on your part you may, if you obtain the express consent of all concerned given after a full disclosure of the facts, represent all of those who have retained you for the purpose of bringing about an amicable settlement and division of the share of the property which the proponent is willing to offer by way of settlement, otherwise you are disqualified from acting for any one connected with the matter. suggest that if you proceed as above outlined the express consent should be in writing in each instance. We assume that none of the parties you represent is a minor."

Dated: December 31, 1923.

23. REPRESENTING CONFLICTING IN-TERESTS.

The question presented to this committee was as follows:

"'A' was consulted as attorney by 'B', a widower, concerning status of property standing in the name of deceased wife of 'B'. Subsequently 'B' advanced to 'A' monies to be applied upon attorney's fees and costs in the probate of estate of said deceased with the understanding that 'X' who was appointed administrator of the estate of said deceased would reimburse 'B' as to the monies so advanced to 'A' as attorney for 'X', the administrator.

"Subsequent to the foregoing transactions 'B' consults other counsel and then

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files suit against the administrator wherein it is sought to have the property first above mentioned adjudged to be community property of 'B' and his deceased wife. 'B' is not the only heir of deceased. The amount involved is small. 'B' now joins with 'X' in requesting that 'A' represent 'X' in defending the action brought by 'B'. May 'A' properly so act? May he properly refuse?"

This committee's advice to the attorney was as follows:

"A may, if B is agreeable thereto, act for the administrator in definding the action brought by B; on the other hand A is free to refuse the employment. However, if A does refuse such employment, he should withdraw as attorney for the administrator in the general administration of the estate. This, of course, is upon the assumption that there is no collusion in the matter and that the administrator and his attorney are prepared to defend the action in good faith." Dated: December 31, 1923.

PROPRIETY OF ATTORNEY WRITING 24. LETTER TO PERSONS NOT HIS CLIENTS INFORMING THEM OF RECENT DE-CISIONS OF THE COURTS ON MISCELLANEous QUESTIONS.

In this instance an attorney at this Bar sent a mimeographed form letter on his letterhead and over his signature addressed to a mercantile firm, enclosing syallabi from six recent decisions of the courts of this state covering miscellaneous questions.

In his letter he stated, "would be glad to have you call and see me at any time."

The firm addressed was not a client of the attorney, and, according to our information, had no relations with him.

The above constituted solicitation of business by the attorney and his acts were unprofessional.

25. Insertion in Trade Journal of

Dated: December 31, 1923.

The above insertion appears to have been made in three successive monthly issues of the journal and must therefore be considered not in the light of a single kindly write-up by the client, but as advertising on the attorney's part, and in violation of the Canons of Ethics of the Los Angeles Bar Association.

Dated: December 31, 1923.

ATTORNEY PRACTICING UNDER COM-PANY NAME AND ADVERTISING SUCH PRACTICE.

Is it inviolation of the Canons of Legal Ethics for a company to issue cards advertising its practice of law in the following words:

"_____ & CO. Attorneys and Counselors at Law

..... Bank Building Probate, Corporation, Bankruptcy and Admiralty Law

Practice in Federal and State Courts Foreign Depositions,"

without disclosing the names of the members of the company?

In the opinion of the committee the above advertisement is improper in that it does not disclose what member, if any, is an attorney, and contravenes the general rule laid down by the American Bar Association as to misleading advertisements by attorneys. Furthermore the law of this state is settled to the effect that a corporation cannot engage in the practice of law, nor can a lawyer or firm practice under a fictitious name. Therefore, the action of the attorneys in the premises is highly improper.

Dated: January 20, 1925.

27. ATTORNEY REPRESENTING DEFENDANT PATENT INFRINGEMENT SUIT BROUGHT BY THE ORIGINAL PATENTEE FOR INFRINGEMENT, AFTER HAVING REPRESENTED THE ORIGINAL PATEN-TEE IN PROCURING THE PATENT.

A patent attorney did work for a client on an application for a patent applied for

by the client, and while the application was pending, severed his relations with the client. The patent has never been adjudicated. After the relations were severed, another client was charged with infringement of the patent. May the attorney defend for the second client in a suit by the first client in which infringement is alleged?

The opinion of the committee is that, generally, the attorney is debarred from representing the second client in the matter if he would be in position to use any secret information, or special knowledge gained by him from his first client. However, upon examination of all the facts in the particular inquiry made by a patent attorney, it appeared that no interpretation of the language of the claims may be in issue, or that any issue will be raised as to the validity of the original patent, and that the files in the patent office and other matters to which they refer, relating to this patent, are subject to public inspection, and that the attorney gained no information through secret confidences of the original patentee of the prior art which he otherwise would not have had. In the light of this information the committee is of the opinion that the attorney will not be violating the canons of legal ethics by representing the second client in a suit brought by the original patentee for infringement.

Dated: January 20, 1925.

 REGARDING THE INSERTION IN NEWS-PAPERS OF CARDS AND OTHER DE-SCRIPTIVE MATTER BY MEMBERS OF THE LEGAL PROFESSION.

"Is it in violation of the Canons of Legal Ethics for a firm of attorneys, members of the Bar Association, to insert their professional card and a general description of the character of the practice in which they are engaged and eulogistic writeup of the members of the firm, in an extra edition of a daily newspaper published once a year, which publication is intended to be an advertisement of the business and resources of the territory in which the newspaper circulates?"

Your committee thinks it improper for any firm of attorneys to carry in any newspaper the class of matter set forth in the advertisement submitted for our opinion. The self-laudation contained in the said advertisement exhibits bad taste and tends to bring the profession into more or less disrepute.

Dated: January 20, 1925.

29. Solicitation by Attorneys of Particular Types of Practice.

"Is it in violation of the Canons of Legal Ethics for a firm of attorneys engaged in the general practice of law and as proctors in admiralty, by letter, to solicit shipping and admiralty cases along the Western Coast, and in the letter recite somewhat of the experience and ability of the members of the firm?"

The matter referred to in the above question is objectionable for the reasons set forth in the canons promulgated by the American Bar Association, notwithstanding the fact that presumably this solicitation was directed to attorneys alone and not sent to the general public.

Dated: January 20, 1925.

30. Representing Conflicting Interests.

"May an attorney, who represented the plaintiff in a divorce action in which decree was obtained for the plaintiff and an order for payment to her of monthly payments of alimony after the final decree of divorce is entered, represent the ex-husband in an attempt to have the amounts of the monthly payments reduced or set aside?"

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As be ans To this question the committee answers emphatically "No." It seems to the committee that no further answer need be made.

Dated: January 20, 1925.

31. CONFIDENTIAL COMMUNICATIONS.

- "(a) May an attorney take a case for a bank against a client and her husband, which client he theretofore represented in a divorce action, he having learned of her property and property rights in the action?
- "(b) An attorney represented a client in a claim for rent and obtained settlement, but learned nothing regarding the client's property or property rights. May he afterwards accept employment from the client's wife in an action for divorce against the client?
- "(c) An attorney collected \$100.00 for a client, and while he still held the money was informed by another person that the client owed such other person \$245.00, and he advised such other person that he was holding \$100.00 belonging to the client, and advised that suit be brought and garnishment be served on him. Suit was therefore brought by such other person and judgment was given for \$7.50. The attorney charged his client \$25.00 fees for making collection of the \$100.00. Should charges be lodged against the attorney before the Grievance Committee for violating the confidence of his client?"

As to (a) above, it is the opinion of the committee that the answer should be in the negative. An attorney, by reason of confidential communications made to him by his client, who learns of his client's property rights and interests, should not, even after the employment has terminated, accept employment in an action against the client to collect money.

As to (b) above, the question should be answered in the affirmative. When the employment of an attorney ceases, it cannot be unethical for him to accept employment in an action against the former client, providing he does not take advantage of the former client by using information obtained confidentially from him.

As to (c), it is the opinion of the committee that the matter should be presented to the Grievance Committee or Bar Association for such action as shall seem best. It is clear that the attorney, under the facts set out, grossly violated his client's confidence by advising a creditor that he held moneys belonging to the client, and to bring action against the client and serve garnishment upon him.

Section 282 of the Code of Civil Procedure defining the duties of attorneys and counselors at law, is in part as follows:

"It is the duty of an attorney and counselor: * * * 5. To maintain inviolate the confidence, and at every peril to himself, to preserve the secrets of his client; * * *."

Dated: January 20, 1925.

 REFUSAL OF ATTORNEY TO PREPARE DIVORCE DECREE UNTIL HIS FEES ARE PAID.

"An attorney appears for a defendant in a divorce action, first, in response to order to show cause why the defendant should not pay the plaintiff, his wife, temporary alimony. The matter is heard and an order is made for the payment of \$100.00 attorney's fees to the attorney for the plaintiff. The attorney files answer and also a cross-complaint praying for annulment of the marriage. Plaintiff defaults to the cross-complaint. The cause is set down for trial. No payment is made on the attorney's fees, no agreement having been made as to the amount or time When the time of trial of payment. arrives the attorney asks his client, the defendant, for settlement of attorney's

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nounts or set fees, and is promised that at the conclusion of the trial the fees will be paid. The trial is had and decision rendered in favor of the defendant upon the cross-complaint for annulment. The client 'skips out' and leaves the city without paying any attorney's fees. After leaving he demands that a decree be prepared, presented and entered. The attorney refuses to go further in the matter or prepare the decree until his fees are paid. Is he justified?"

In the opinion of the committee, the attorney is justified in his refusal, at least unless directed by the court to prepare the decree, after a showing as to the facts. The arrangement between the attorney and client is a contract, the terms of which, on the part of the client, are violated. This relieves the attorney from proceeding further until the client complies with his agreement.

Dated: January 20, 1925.

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February, 1927

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Anderson, C. Sherman, 520 Title Ins. Bldg.
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Anderson, Floyd L., 230 H. W. Hellman
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Ambrose, Hon. Thomas L., 739 Hall of

Anderson, Trent G., 1112 Black Bldg.
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Anderson, W. H., 1112 Black Bldg.
Anderson, W. V., 411 Law Buldg.
Andreani, F. M., Bank of Italy Int. Bldg.
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Andrews, Lewis W., 414 Union Oil Bldg. Andrews, Lorrin, 1100 Chapman Bldg., 756 So. Broadway.

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Babson, H. P., 820 Detwiler Bldg.
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Ballard, Hon. Chas. D., 700 Hall of Just.
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Balter, Harry Graham, 606 Union Bk. Bld.
Baltimore, George, 707 Union Bank Bldg.
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Bank, Charles A., 806 Union Bank Bldg.
Barker, Donald, 1029 Title Ins. Bldg.
Barker, Frederick F., 1130 Bank of Italy
Bldg.

Barnes, Leonard S., 710 Amer. Bk. Bldg. Barnhill, William A., 1003 Bartlett Bldg. Barni Bld Barre Barre

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Barrett, Elliott H., 703 California Bldg. Barrett, Urbane L., 1301 Pershing Square

Barry, Frank J., 405 Nat. City Bk. Bldg. Barstow, Alfred, 1010 Hellman Bk. Bldg. Bartlett, A. L., 516 A. G. Bartlett Bldg. Bartlett, W. C., 807 Bartlett Bldg.

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Belcher, Frank B., 1111 Haas Bldg.
Belford, Alberta R., 3828 So. Grand Ave.
Belford, Clyde, 717 Pac. Nat. Bk. Bldg.
Bell, Jas. W., 926 California Bldg.
Beman, John B., 705 Mer. Nat. Bk. Bldg.
Bender, Willard T., 728 Sun Fin. Bldg.
Benedict, H. Stanley, 1010 Pershing

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Benjamin, I. B., 507 Union Bank Bldg.
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Bering, Frank M., 931 Mer. Nat. Bldg.
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Oil Bldg.
Brewer, James V., 1013 Hibernian Bldg.
Brice, Wm. O., 303 Hall of Records.
Bridges, H. F., 507 Wilcox Bldg.
Briggs, Arthur E., 400 Pac. Finance Bldg.
Brigham, Lee Roy, 514 Pac. Mutual Bldg.

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Brockow, Anna, 512 California Bldg. Brody, Edward, 607 Bank of Italy Bldg. Bromley, Elmer P., 320 Bartlett Bldg. Bronsten, William, 227 H. W. Hellman Bldg.

Brooks, Lon A., 1411 Chapman Bidg.

Brown, Albert Sidney, 500 Equitable Bldg. Brown, Edgar K., 402 Pac. Mutual Bldg. Brown, F. Walton, 1108 Chapman Bldg. Brown, Henry, 1408 Chapman Bldg. Brown, J. Calvin, 728 California Bldg. Brown, Luther G., 1032 Van Nuys Bldg. Brown, Michael F., 308 American Bk. Bld. Brown, Ralph J., 1102 Pac. Mutual Bldg. Brown, William B., 515 Story Bldg. Brown, William G., 710 Fay Bldg.

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Bruce, Robert W., 309 Fay Bldg.

Brunner, Frederick, 413 Pac. Mutual Bldg. Bruns, Paul H., 909 California Bldg. Bryan, William J., Jr., 1035 Van Nuys Bldg.

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Bush, George B., 836 A. G. Bartlett Bldg. Bush, Guy F., 1128 Black Bldg.

Butler, Charles T., 608 Hellman Bank Bldg.

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Carson, John E., 445 Wilcox Bldg. Carter, Henry E., 517 Fay Bldg. Carvell, Mrs. Mae, c/o Dept. of System,

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Case, Thomas K., 1130 Stock Exchange.

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Chandler, Leo S., 629 So. Spring St.
Chandler, Jeff Paul, 617 Bartlett Bldg.
Chapman, Arthur E. T., 503 Hibernian

Bldg. Chapman, L. M., 405 Edwards-Wildey Bldg.

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Clark, James P., 706 Grant Bldg.
Clark, John F., 909 Hibernian Bldg.
Clark, Oliver O., Chapman Bldg.
Clarke, Lucian J., 606 Sun Finance Bldg.
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Conover, William A., 540 Bradbury Bldg. Conrey, Hon. N. P., 1211 Sun Finance Bldg.

Conroy, T. P., 908 Pershing Sq. Bldg. Conway, Paul F. A., 1835 W. 41st Dr. Cook, George P., 416 O. T. Johnson Bldg. Cook, Horace L., 819 Hollingsworth Bldg. Cooper, John S., 708 Washington Bldg. Cooper, Norvall J., 1011 Loew's State Bldg.

Cope, John G., 1126 Rives-Strong Bldg. Copp, A. J., Jr., 416 Copp Bldg. Cornell, C. W., 670 Pac. Elec. Bldg.
Cornell, H. B., 1104 Sock Exch. Bldg.
Cornell, Jessie D., 1104 Stock Exch. Bldg.
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Bldg

Bldg.
Coyle, Harold H., 800 California Bk. Bldg.
Coyne, D. Joseph, 521 Laughlin Bldg.
Craddock, Edgar H., 6085 Meredian St.
Cradick, Charles W., 202 Delta Bldg.
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Cruzan, Harold I., 516 H. W. Hellman Bldg.

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Cushing, John J., 1201 Williams Bldg. Cuthbert, John B., 2231 So. Bronson Ave. Dadmun, L. E., 207 Black Bldg. Daily, Allan F., 1003 Bartlett Bldg.

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Denis, Geo. J., 423 Wilcox Bldg. Dennis, Alfred Earl, 730 Van Nuys Bldg.

Dennison, E. J., 262 Thorne St. Derthick, Wilber M., Merritt Bldg. Devor, George I., 837 Van Nuys Bldg. Dexter, G. R., 6331 Hollywood Blvd.

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Dickey, Lindsay K., 200 Sun Fin. Bldg. Dickson, Hugh L., Washington Bldg. Dietrich, Edward, 718 Cit. Nat. Bk. Bldg. Dillon, R. J., 1124 Mchts. Nat. Bk. Bldg. Di Vecchio, D. L., 711 H. W. Hellman Bldg.

Doane, Ira C., 804 Black Bldg.

Dockweiler, I. B., 1035 Van Nuys Bldg. Dockweiler, John F., 1035 Van Nuys Bldg. Dockweiler, Thomas A. J., 1035 Van Nuys Bldg.

Doherty, Frank P., 601 Mer. Nat. Bk.

Dolley, Roy P., 530 Bk. of Italy Bldg. Donnell, Birney, 1129 Loew's State Bldg. Donnelly, Charles E., 614 Calif. Bk. Bldg. Donovan, James, 840 Subway Term. Bldg. Doran, Hon. William C., Court House. Doughty, James, 123 N. Broadway. Douglas, Edwin S., 601 Stock Exch. Bldg. Dowds, Roy W., 1103 Hall of Records. Drake, E. B., 1308 Washington Bldg. Dryer, Geo. W., 615 Van Nuys Bldg. Duncan, Harry B., 331 Black Bldg. Dunlavy, Melvin T., 420 Story Bldg. Dunn, Harry L., 825 Title Ins. Bldg. Dunningan, H. L., 718 Cit. Nat. Bk. Bldg. Dunnigan, R. A., 323 Stock Exch. Bldg. Dunning, Albert E., 1101 Black Bldg. Duque, Gabriel C., 620 Security Bldg. Durst, Walter C., 739 H.W.Hellman Bldg. Dvorin, John M., 729 Stock Exch. Bldg. Dyer, John L., 525 Title Ins. Bldg. Easton, Chas. M., 331 Black Bldg. Eaton, Noren, 517 H. W. Hellman Bldg. Eckman, A. W., 420 Story Bldg. Eddie, Hamish B., 321 Sun Finance Bldg. Eddy, Richard T., 412 W. 6th St. Eden, Walter, c/o Calif. Title Ins. Co. 626 S. Spring St.

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Fauc Blo Feini Felix Fend Fenir Ferra Ficke Blo

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Bldg. ords. West Faucett, Carl W., 910 Commercial Exch. Bldg., 416 West 8th St.
Feinfeld, Jacob L., 720 Story Bldg.
Felix, Max, 800 Standard Oil Bldg.
Fendler, Harold A., 914 Guaranty Bldg.
Fenimore, Geo. W., 1111 Haas Bldg.
Ferrahian, M. G., 603 Higgins Bldg.
Fickeisen, A. G., 602 Citizens Nat'l Bk.

Finch, Joseph C., 825 Title Ins. Bldg. Finch, Wilbur D., 1035 Van Nuys Bldg. Finkenstein, Harry A., 1026 Calif. Bldg. Finkenstein, M. J., 1026 California Bldg. Finlayson, Hon. Frank, 837 Van Nuys Bldg. Fish, Howard J., 640 Title Ins. Bldg.

Flam, Edward, 825 Merchants Nat. Bk. Bldg. Flanagan, James A., 529 Citizens Nat. Bk.

Bldg. Fleming, Clarence E., 1323 Stock Ex. Bldg. Fleming, Ed J., 317 H. W. Hellman Bldg. Fleming, Hon. John L., Hall of Records.

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Bldg.
Flint, William R., 747 Title Ins. Bldg.
Flocker, Ira M., 801 Lane Mort. Bldg.
Flynn, W. C., 924 Sun Finance Bldg.
Fogel, Moe M., Mer. Nat. Bank Bldg.
Foley, John H., 306 Union League Bldg.
Foley, Roger, 502 Consolidated Bldg.
Ford W. L. 520 Title Ins. Bldg.

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Ford, W. J., 520 Title Ins. Bldg.
Forgy, E. W., 903 California Bldg.
Martin, Forrest, 622 Stock Exch. Bldg.
Fortune, Edmond, 600 N. St. Andrews Pl.
Foster, E. D., 671 I. W. Hellman Bldg.
Fourl, Charles W., 820 Detwiler Bldg.
Fox, W. Turney, 3660 University Ave.
Frankel, J. Allan, 904 Van Nuys Bldg.
Frankley, L. W., Law Bldg.
Franklin, Alan, 639 Cotton, Exch. Bldg.

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Hardy, Rex, 535 Van Nuys Bldg.
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Harrah, John G., 907 Van Nuys Bldg. Harris, A. B., 911 Sun Finance Bldg. Harris, Ford W., 471 Cham. of Comm. Bldg.

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 Hatch, Leander O., 1105 Great Republic Life Bldg.

Haun, Raymond V., 815 Black Bldg. Haves, Henry, 812 Union Bank Bldg. Hawkins, Eugene A., 702 Citizens Nat. Bk Bldg.

Hawkins, Eugene A., Jr., 702 Cit. Nat'l Bk. Bldg.

Hayne, Brewton A., 404-5 Pershing Sq. Bldg.

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